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CHARGES AGAINST GENERAL HOWARD.

JULY 13, 1870.—Ordered to be printed with minority report.

Mr. ARNELL, from the Committee on Education and Labor, made the following

REPORT

The Committee on Education and Labor, to whom, by resolve of the House, April 6, 1870, was referred the statement that day made by Hon. Fernando Wood, of New York, in reference to Gen. O. O. Howard, with instructions to investigate all the charges therein contained, and with authority to send for persons and papers, respectfully report :

The House of Representatives, on the 6th of April last, adopted the following resolution :

Resolved, That the statement made this morning by Hon. Fernando Wood, of New York, in reference to General O. O. Howard, be referred to the Committee on Education and Labor, with instructions to investigate all the charges therein contained, and with authority to send for persons and papers.

The following is the official report in the *Globe* of April 7th, 1870, of the proceedings in the House of Representatives, including the charges just referred to :

GENERAL O. O. HOWARD.

Mr. WOOD. I ask unanimous consent to make a personal explanation.

The SPEAKER. For how long ?

Mr. WOOD. Ten minutes.

The SPEAKER. Is there objection to granting unanimous consent to the gentleman from New York for ten minutes to make a personal explanation ?

There was no objection.

Mr. WOOD. Mr. Speaker, when the bill proposing to abolish the Freedmen's Bureau was under discussion in the House a few days ago I made a remark in my seat which has attracted the attention of the Commissioner of that bureau, who has written me a letter which I desire to have read by the Clerk, and upon which I desire to make a few words of comment.

The Clerk read as follows :

“WAR DEPARTMENT, BUREAU REFUGEES, FREEDMEN AND ABANDONED LANDS,
“Washington City, April 1, 1870.

“DEAR SIR: By this morning's Chronicle you are made to intimate that I have grown rich from this bureau, and that the bill proposed on education was to enable me to control \$500,000 more. I do not think you can have said it, because if you know my financial condition you will know that I have a large family, a small property, and considerable indebtedness, and as the bill proposed to take from me the \$600,000 and put it into the Bureau of Education I cannot think you made the remark. I have discharged the trust committed to me with fidelity, as you yourself would say if you should give every transaction the most thorough examination.

“Very respectfully, your obedient servant,”

“O. O. HOWARD, Commissioner Freedmen's Bureau.

“Hon. FERNANDO WOOD.”

Mr. ARNELL. I rise to a question of order. I desire to inquire whether this is in order ?

The SPEAKER. The gentleman from New York has the floor by unanimous consent.

Mr. WOOD. The Commissioner has been correctly informed, and the reported remark

attributed to myself is entirely correct. I did say General Howard had grown rich through the Freedmen's Bureau, and that I thought this bill was intended to give him the control of \$600,000 more. I have no wish to do General Howard any injustice, or any other gentleman, or any person certainly holding the professional and official position of this gentleman. What I said was founded upon a firm conviction of its truth. It was founded upon common report and common rumor, and I will now detain the House but a very few minutes in stating what I believe to be true as respects the mode and manner in which the commissioner has discharged this important trust we are now about to take from him.

By his own official report transmitted to Congress he has disbursed individually through the bureau \$12,965,359. He has had the absolute control of that bureau. He has, from the character of the statutes which were passed for the purpose of aiding the freedmen, had the personal disposition of this large sum of money, and he is therefore personally responsible for the mode and manner in which that money has been disbursed.

Now, as this letter appears to challenge investigation as to the manner in which he has discharged that duty, and as by the bill which passed this House yesterday it is alleged we are about to deprive him of the control of this fund, I think, for the reasons I will here state and the allegations I desire to present, the House should authorize an investigation into these transactions and into the discharge of his official duties. Therefore, upon information and belief, I charge that General O. O. Howard, Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands, has been guilty of malversation and dereliction of duty, inasmuch as—

First. That he has taken from the appropriations made for, and the receipts of, that bureau more than five hundred thousand dollars, improperly and without authority of law, for the Howard University, hospital, and lands.

Mr. HALE. I rise to a point of order.

Mr. WOOD. I hope the Chair will protect me. The House has granted consent that I should make this explanation, and I doubt whether it can now take the responsibility of depriving me of the floor.

The SPEAKER. The gentleman from Maine will state his point of order.

Mr. HALE. I make the point of order that the gentleman is now proceeding, not as speaking to a question of privilege, but simply as making an assault on a gentleman not a member of this House.

The SPEAKER. It has been decided over and over again that when the House gives its unanimous consent to a personal explanation the member who has the privilege granted him may employ his time in whatever mode he chooses, subject to the rules; that he may employ his time in attacking anybody outside of Congress that he chooses.

Mr. WOOD. I resume the statement of the charges which I submit:

Second. That portions of the land alleged to have been sold for the benefit of the Howard University fund were disposed of improperly to members of his own family and officers of his staff.

Third. That bonds issued in aid of the First Congregational church of the city of Washington were taken in payment for a portion of this land, which have not yet been redeemed or paid, nor have they been returned in his official accounts as such.

Fourth. That the University building and hospital were built of patent brick furnished by the American Building-Block Company, in which General Howard, Charles Howard, General E. Whittlesey, and C. W. Alvord, all attached to the bureau, were interested as stockholders.

Fifth. That the specifications for the construction of those buildings provided that the material used in their erection should be taken from the brick made by this company; thus preventing competition, and securing the use of that brick, and no other, for that purpose.

Sixth. That the brick so used was unfit and nearly worthless; parts of the building have fallen down in consequence, and other parts have since been repaired and rebuilt, at an expense of \$13,000.

Seventh. That by his consent and with his knowledge lumber belonging to the government was used by this company and appropriated to its own benefit, being resold to its employés.

Eighth. That he pays rent to the Howard University from the funds of the bureau for the privilege of a headquarters.

Ninth. That he draws three salaries, namely, one as a brigadier general in the United States Army, another as Commissioner of the Freedmen's Bureau, and a third as head of the Howard University.

Tenth. That he has paid from the funds of the bureau over forty thousand dollars for the construction of the First Presbyterian church, in this city, taking the church bonds in return, which he has either returned in his accounts as cash on hand, or sent south for the purposes of the bureau.

Eleventh. He has advanced a large sum from the funds of the bureau to the Young Men's Christian Association of this city, taking their bonds in payment, which have been sent to Tennessee to help the freedmen's schools in that State.

Twelfth. That he caused or knowingly allowed lands in this city, owned by an officer of the bureau, to be transferred to a freedmen's school in North Carolina; the officer taking the

money appropriated for that school, and the school the lands in this city; thus perpetrating a fraud both upon the government and the freedmen.

Thirteenth. That he was interested in the purchase of a farm of about three hundred acres near the Lunatic Asylum in this county, for which the public funds and other property of the government were used. Buildings were erected thereon, built of lumber belonging to the government, and then let or sold to freedmen at exorbitant prices; and that he and his brother, Charles Howard, were personally interested in this transaction as a private pecuniary speculation.

Fourteenth. He has discharged the duties of the office of Commissioner of the bureau with extravagance, negligence, and in the interests of himself and family and intimate friends.

Fifteenth. That he is one of a ring known as the "Freedmen's Bureau ring," whose connections and influences with the freedmen's savings banks, the freedmen's schools of the South, the political machinery of a party in the Southern States, and whose position has been to devote the official authority and power of the bureau to personal and political profit.

THE COMMITTEE entered upon the discharge of their duty with a profound sense of its magnitude and importance. The policy which has been pursued by the American people toward the four and a half millions of persons suddenly delivered from slavery by the events of a great civil war constitutes one of the most interesting and important chapters in human history. In ancient nations the freedmen constituted a distinct and degraded class. France, after seven years of liberty, re-enslaved the negroes in her West India colonies. England subjected the colored population of Jamaica to a humiliating and most impolitic system of apprenticeship, thereby rendering permanent the alienation and bitterness of feeling engendered by slavery, and leaving to germinate the seeds of the outbreak that led to the atrocities which, within a few years, called down the execration of mankind on the administration of Governor Eyre.

In luminous contrast with this is the conduct of the American people. Although distracted with a civil war of unparalleled magnitude, although the enfranchised population was of a different race and color from the dominant majority, the United States at once accepted the logical consequences of the great act of emancipation, and proceeded to secure to their lately enslaved people, independence, education, and civil and political equality. Four millions and a half of people, lately dependent as children, unaccustomed to judge or act for themselves, without the sense of personal dignity which can only be born of freedom, were to be saved from pauperism. Until now ignorant and degraded, they were to be taught to appreciate the blessings and aided in establishing the institutions of education. In this way only could the great constitutional boon of political equality be conferred on them with safety either to them or the great body of the American people.

It is manifest that with our government of limited powers this task was most difficult. Nothing in our previous history taught us the way, nothing in our administrative precedents or existing administrative machinery furnished the means, of accomplishing this vast result. The path was totally new and untrodden. It was rendered still more difficult by the fact that the freedmen were in the midst of hostile communities who regarded their emancipation wrong, and every privilege conferred upon them as a humiliation to themselves, and that by the events of the war, especially of Sherman's great march through the South, they had been congregated in large numbers in Washington and other great cities, where they were crowded together destitute and starving.

To solve this problem, Congress in 1865 wisely determined that large and comprehensive powers and resources must be placed at the command of a department to be specially created for the purpose, finding security against their abuse in the character of the person who should be placed at its head. To this end the Freedmen's Bureau was estab-

lished and a Commissioner appointed, clothed with powers set forth in the following extracts from acts of Congress relating to this subject:

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.

Act approved March 3, 1865.

SEC. 2. *And be it further enacted,* That where accounts are rendered for expenditures for refugees or freedmen under the approval and sanction of the proper officers, and which shall have been proper and necessary, but cannot be settled for want of specific appropriations, the same may be paid out of the fund for the relief of refugees and freedmen, on the approval of the Commissioner of the Bureau of Refugees and Freedmen.

Act approved June 15, 1866.

SEC. 2. *And be it further enacted,* That the supervision and care of said bureau shall extend to all loyal refugees and freedmen, so far as the same 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 conferred by proclamation of the commander-in-chief, by emancipation under the laws of States, and by constitutional amendment, available and beneficial to the public.

SEC. 12. *And be it further enacted,* That the Commissioner shall have power to seize, hold, use, lease, or sell all buildings and tenements, and any lands appertaining to the same, or otherwise, formerly held under color of title by the late so-called Confederate States, and not heretofore disposed of by the United States, and any buildings or lands held in trust for the same by any person or persons, and to use the same or appropriate the proceeds derived therefrom to the education of the freed people; and whenever the bureau shall cease to exist, such of said so-called Confederate States as shall have made provision for the education of their citizens, without distinction of color, shall receive the sum remaining unexpended of such sales or rentals, which shall be distributed among said States for educational purposes in proportion to their population.

SEC. 13. *And be it further enacted,* That the Commissioner of this bureau shall at all times co-operate with private benevolent associations of citizens in aid of freedmen, and with agents and teachers duly accredited and appointed by them, and shall hire or provide by lease buildings for purposes of education whenever such association 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 safe conduct of such schools.

Act of July 16, 1866.

SEC. 3. *And be it further enacted,* That unexpended balances in the hands of the Commissioner, not required otherwise for the due execution of the law, may be, in the discretion of the Commissioner, applied for the education of freedmen and refugees, subject to the provisions of laws applicable thereto.

Act of June 24, 1868.

The sort of person to whom this great trust should be confided is described in the following extract from a communication from Hon. Mr. Whiting, Solicitor of the War Department, made to Congress, just before the passage of the bill establishing the Freedmen's Bureau:

The work laid out for the Bureau of Emancipation is of immense magnitude. Two and a half millions of wards driven from their accustomed shelter by the sharp catastrophes of war, landless, houseless, homeless, appeal to the government to guard and save them. From their earliest years deprived of the light of knowledge, they are children able as yet to see only the star of freedom. They feel with hope and confidence that the flag which brings to them liberty, will spread over them the mantle of its protection. In the heart of this great people every pulsation throbs for freedom. The instincts of national honor will allow no faltering and no failure in our duty to the oppressed freedmen, who stand shoulder to shoulder in this struggle for our country's safety and renown.

The plan proposed in this bill is for the organization of a bureau in the War Department. Perhaps this is the best means of commencing the great work, but I think the time will soon come, if it has not already arrived, when the duties of this bureau will require the powers and merit the dignity of a separate executive department.

There are several subjects which might be advantageously grouped together, and ought to be placed under the management of one controlling mind. Among them are the following:

1. Taking possession, on behalf of the United States, of all real estate abandoned by its owners who have joined the rebels.
 2. Taking possession of all real estate forfeited to the United States to be sold for taxes, whether bought in by order of the President of the United States or sold to settlers and others.
 3. Taking possession of all lands confiscated to the United States.
 4. Taking possession of all personal property of the enemy derelict, abandoned, or captured, except prizes at sea.
 5. Taking care of and making provision for all persons now freed or hereafter to be freed under any laws of the United States or proclamations of the President, or acts of manumission.
 6. Taking care of all colored men in the rebellious districts who were free before the war, and all fugitives thereto from loyal States.
 7. All legal proceedings for the confiscation of rebel property in all the courts.
- The United States attorneys, or special attorney, to act under orders of the new department so far as respects these proceedings.
8. The administration of all laws, rules, and regulations relating to the migration of colored people to and from the rebel States.
 9. And of laws relating to the compensation, if any, which the government may hereafter give to aid loyal States in emancipating slaves.
 10. All other matters relating to the emancipation and its processes, its rules and regulations, &c., and the protection of the interests of the colored men on one hand and the United States on the other.

These subjects are intimately connected together. They would require genius and active energy of the most powerful executive talent. The Secretary of War or of the Treasury are already so overwhelmed with labor and responsibility that it is ungenerous to demand of either of them to assume this herculean task. The labors of this emancipation department will be unsurpassed by those of any other executive minister. Its importance to the ultimate issue of the war, to the reputation of our country abroad, to the moral character of our people in the Southern States, to the treasury, to the soldier, and to the industrial interests of this great nation, can hardly be overestimated. Whoever is competent to fill the office of secretary of emancipation should have a seat in the Cabinet, and should also enjoy the confidence and co-operation of that great and good man whose proclamation of freedom has recreated a nation, and will cause his name to be venerated wherever the flag of the Union shall cast its shadow.

The recommendation to give the head of the Freedmen's Bureau a seat in the Cabinet was not adopted by Congress. Under our system these Cabinet officers are the political advisers of the President; and the duties of the Freedmen's Bureau are too important to be associated in the public mind with anything of a partisan nature. But in all other respects Congress established the bureau on the basis so recommended.

In selecting the officer for this lofty and delicate trust, the qualities so graphically and eloquently described were, as your committee believe, carefully sought for. General Howard was known to the whole country as a distinguished military officer. His patriotism had been attested by a career of service in the hardest fought campaigns of the war. He had been twice severely wounded; he had lost his right arm at Fair Oaks; he had commanded the army of the Tennessee, leading the right wing in Sherman's march to the sea; he had rendered illustrious military service on the field of Gettysburg, and from all the officers and soldiers of the army of the Potomac was, with one other, selected by Congress to be thanked by name "for the skill and heroic valor which, at Gettysburg, repulsed, defeated, and drove back, broken and dispirited, beyond the Rappahannock, the veteran army of the rebellion." (Resolve of January, 1864.) His high reputation as a Christian gentleman gave him the esteem of the humane and benevolent portion of the public, upon whose confidence and co-operation his success was largely to depend. Moved, doubtless, by these considerations, the President, on the recommendation of Secretary Stanton, selected General Howard for the position which he has since filled.

The general effect of the policy pursued by this people toward the

freedmen and the general results of the administration of the Freedmen's Bureau by General Howard are matters of history. Without civil convulsion, without any manifestation of violence or hate toward those who had subjected him and his ancestors to the accumulated wrongs of generations of servitude, the enfranchised negro at once and quietly entered upon the new relations of freeman and citizen. During the five years since the bureau has been established, General Howard has directed the expenditure of twelve million nine hundred and sixty-five thousand three hundred and ninety-five dollars and forty cents; has exercised oversight and care for freedmen and refugees in seventeen States and the District of Columbia, a territory of 350,000 square miles, and co-operated with benevolent societies, aiding in the education of hundreds of thousands of pupils, and in the relief of vast numbers of destitute and homeless persons of all ages and both sexes.

A trust more important and sacred, a confidence more entire, had scarcely ever been reposed by the American people in any public officer since the foundation of the government. If it had been successfully and honestly discharged, the Commissioner was not only entitled to public gratitude, but had placed a crown on the brow of the American people as glorious as the highest achievements of war. But if, on the other hand, he had betrayed this generous and sacred confidence; if he had devoted the power placed by the nation at his disposal to low, partisan, or personal ends; if he had stolen from the poor, the ignorant, the defenseless, the funds intrusted to him for their benefit, no language of condemnation could adequately describe the infamy of his crime. This the committee felt in its full force and power, and determined, in the investigation of these charges, to do their full duty to Congress and the country.

So far as the committee are aware, the functions of the bureau had been performed without complaint on the part of those for whose benefit it was created, and to the general public satisfaction until the charges, now the subject of investigation, were made.

That it had excited the admiration of impartial foreign observers is apparent from the able report made to the minister of public instruction in France by M. Hippeau, the commissioner appointed by the French Emperor to examine the system of public instruction of this country, who, in an eloquent chapter devoted to the subject of education of the colored race, pays homage to the people of America for the humanity and wisdom which conceived and the genius and energy which executed the work of the Freedmen's Bureau.*

The great republican orator of Northern Europe, Castellar, points to this, the last achievement of the American people, as the triumphant refutation of all those who would assert the superiority of monarchy. He says:

The United States, having turned their slaves into men, have devoted themselves to converting these men into citizens. And to-day, gentlemen, those beings who were formerly not even men, are freer than the first of the sons of Europe. Those men who could not learn to read because the southern gentlemen murdered any one who would dare to give them a book, have, to-day, innumerable schools. Those men who were like beasts of burden, wretched as the reptiles that crawled among the cotton and the cane, are free men—are American citizens; they sit in the Congress and the Senate of Washington. The United States have refused to recognize as members of the federation those States which have not, in their turn, recognized the liberty and the equality of the negroes.

You talk to me of exceptional laws. Many have you given to sustain the influence of priests and the tyranny of kings. I admit your exceptions, if you will present me four million beasts converted into four million men.

* For extracts from the report of M. Hippeau, see appendix.

During the whole investigation, Mr. Wood, at his own request, was allowed to be present, with counsel; General Howard was also present with counsel.

Fifty-nine witnesses were called by Mr. Wood, and their examination extended over sixty days. These witnesses were from New York, New Jersey, Pennsylvania, Virginia, Kentucky, Illinois, North Carolina, Tennessee, Mississippi, Florida, and the District of Columbia.

Seven witnesses were called by General Howard, all from the District of Columbia. Their examination occupied three days.

HOWARD UNIVERSITY.—CHARGE 1.

The first charge relates directly to Howard University, and most of the charges have reference, more or less direct, to this institution. Much testimony was taken by the prosecution in regard to the purchase of land and transfers to Howard University. From the evidence it appears that certain property in the northern part of the city, known as the Smith farm, upon which the University buildings now stand, and to which were added small parcels of adjoining land known as the Beckert and Miller properties, was purchased for the University. The land was bought by the trustees, and paid for in part by funds transferred to them by General Howard, as will appear more fully elsewhere in this report. The buildings were erected entirely by him and then turned over to the trustees. The prosecution claims that these purchases and transfers were without authority of law.

Upon this subject the acts of Congress themselves speak clearly. It is difficult to see how a larger discretion could be given than is conferred by the acts above cited. This construction, too, has been invariably given by the Second Comptroller of the Treasury to these statutes, as will appear by the testimony of Hon. Mr. Brodhead, the Second Comptroller of the Treasury. In answer to a question upon this point, he said:

There was nothing whatever, under any of these acts, that put any limit on the discretion of the Commissioner, except the unimportant one in regard to the distribution of food, and one in regard to the sale of school-houses, which says that he shall account for the money to the Treasurer.

Question. And it devolved upon you to do what, in regard to the settlement of accounts? Answer. I had the final revision of all accounts and vouchers presented for settlement, and the charging of them up under the proper appropriation.

Q. Under which of these acts did you perform that duty, so far as the Freedmen's Bureau was concerned?—A. So far as the Freedmen's Bureau is concerned, I derived my powers wholly from the act of 1817.

Q. When a voucher was presented to you, was it your duty to exercise your judgment on the question whether the money had been expended for the purpose for which the Commissioner of the Freedmen's Bureau was authorized by law to spend the public money?—A. Yes, sir.

Q. In determining that question, were you confined to any one law, or did you have regard to all the statutes affecting the subject?—A. I was governed entirely by the law, and allowed nothing which the law did not authorize.

Q. In regard to the discretion of the Commissioner, I doubt whether I got your answer clearly. What limitation was imposed upon the Commissioner?—A. None whatever. I think the act was rather an unusual one in that respect. It was even doubtful whether he was required to settle his accounts at the Treasury; but, under the law of 1817, it was finally concluded to have them adjusted at the Treasury. Under two of the acts relating to the bureau there was a limitation imposed upon the discretion of the Commissioner: the act of March 30, 1867, authorizing the Commissioner to distribute food and other relief among the needy freedmen and refugees, under such directions as might be approved by the Secretary of the Treasury; and the act providing that certain moneys to be expended for educational purposes should be given only to institutions actually incorporated.

Q. And, save under these two acts you have mentioned, there is no limit to the discretion of the Commissioner?—A. No, sir; not in the acts themselves.

In the opinion of the committee, the authority of law and the discretionary powers of the Commissioner are beyond cavil, and General Howard had the most unlimited authority to use the funds of the bureau to advance the great objects for which it was called into existence.

The next question is, Were the "appropriations made for, and receipts of, the bureau improperly used" in being expended on Howard University?

If one of the very purposes of the bureau was to educate freedmen, and if the university was established for that purpose, the expenditure was not improper.

The reports of the general school superintendent of the bureau, which were put in evidence, show clearly that the great and earnest effort of the Commissioner was to inaugurate a system of common school education among the freedmen. A necessary adjunct and indispensable precedent condition to this plan was to establish a university that could give life and energy to these widely-scattered schools. That the Commissioner had a right to found such an institution under the discretion conferred upon him by law cannot be questioned. The committee simply say in this connection that the gifts to this and kindred institutions were wise and judicious. The necessity of preparing and qualifying teachers for future use among the freedmen justifies the expenditure. That the object was commendable, and the results to be accomplished praiseworthy, is confirmed by the fact that the learned and distinguished agent of the Peabody Fund, Dr. Sears, has been compelled to adopt a like policy, with the entire approbation of the eminent trustees of that fund.

TRANSFER OF FUNDS.—It appears that thirty thousand dollars (\$30,000) were transferred by the Commissioner to Howard University. This transfer is made, and the authority of law for the same set forth, in Special Orders No. 57, dated April 15, 1867:

[Special Orders No. 57.]

WAR DEPARTMENT,
BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,
Washington, D. C., April 15, 1867.

Brevet Brigadier General Balloch, chief disbursing officer of this bureau, will transfer the sum of thirty thousand dollars to the Howard University, an educational institution incorporated for loyal refugees and freedmen under an act of Congress, entitled "An act to incorporate the Howard University, in the District of Columbia," approved March 2, 1867, said sum to be paid out of the balance on hand March 2, 1867, of the Refugees and Freedmen's Fund.

This order is based upon the authority of an act of Congress entitled "An act making appropriations for the support of the army for the year ending June 30, 1868, and for other purposes," approved March 2, 1867.

Said transfer shall be made upon the receipt for said sum signed by some person duly authorized by said corporation to receive and receipt for the same.

By order of Major General O. O. Howard:

A. P. KETCHUM,
Acting Assistant Adjutant General.

The transfer of one hundred and twenty-five thousand dollars is made, and the authority of law therefor shown, in Special Orders No. 36, dated March 12, 1869:

[Special Orders No. 36.—Extract.]

WAR DEPARTMENT,
BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,
Washington, D. C., March 12, 1869.

II. Brevet Brigadier General Balloch, chief disbursing officer of this bureau, will transfer the sum of one hundred and twenty-five thousand dollars to the Howard University,

educational institution incorporated for loyal refugees and freedmen, under an act of Congress entitled "An act to incorporate the Howard University in the District of Columbia," approved March 2, 1867, said sum to be paid out of the balance on hand March 2, 1867, of the refugees and freedmen's fund.

This order is based upon the authority of an act of Congress entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight," and for other purposes, approved March 2, 1867. Said transfer shall be made upon the receipt for said sum, signed by some person duly authorized by said corporation to receive and receipt for the same.

By order of Brevet Major General O. O. Howard :

E. WHITTLESEY,
Acting Assistant Adjutant General.

These orders set out the whole matter of the purchase of the land in a clear light.

TRANSFER OF BUILDINGS.

Here again the documents themselves tell best their own story :

WAR DEPARTMENT,
BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,
Washington, D. C., November 5, 1868.

SIR : In expending the appropriations made by Congress for the "construction, rental, and repairs of buildings for schools and asylums," I have constructed and repaired such buildings upon land owned by "benevolent associations and corporate bodies and boards of trustees," who are now using them for school purposes.

These buildings are now borne upon the returns of my quartermasters and disbursing officers as bureau property ; and with a view to the early closing of this bureau, I have the honor to request that authority be given me to transfer the said buildings to the associations, corporate bodies, and boards of trustees, upon whose land they are constructed, requiring from them a formal guarantee that said buildings, or the proceeds of their rental or sale, shall be devoted perpetually to educational purposes, never excluding pupils on account of race, color, or previous condition of servitude.

Very respectfully, your obedient servant,

O. O. HOWARD,
Major General, Commissioner.

Hon. J. M. SCHOFIELD,
Secretary of War.

On the foregoing letter were the following indorsements :

WAR DEPARTMENT,
Washington, D. C., November 5, 1868.

Respectfully referred to the Judge Advocate General for his opinion as to the authority of law for the transfer of property as requested within.

By order of the Secretary of War :

G. W. SCHOFIELD,
Brevet Colonel United States Army.

BUREAU OF MILITARY JUSTICE,
November 5, 1868.

Respectfully returned.

If the buildings referred to within were constructed or repaired without any special agreement with the owners of the lands on which they are situated, modifying their common law rights under the circumstances, then they are the property of such owners of the soil on which they stand, and no formal transfer of them to the United States would be proper. A simple abandonment of their possession being all that could be necessary. If, however, in consideration of the fact that such buildings were constructed or repaired at the expense of the United States, the owners of the soil are willing to give such guarantees as to their future use, or the use of the rental thereof, or of the proceeds of their sale, as are mentioned by General Howard, then it is advised that such guarantees be accepted by the United States, and that they be recited in an order to be issued by the department directing the surrender of the buildings to the proprietors of the soil.

J. HOLT,
Judge Advocate General.

Secretary Schofield returned the above letter to General Howard,

with the opinion of the Judge Advocate General indorsed on it, for the action of General Howard, in accordance with that opinion.

In the meantime "flying rumors, wandering fables and reports," had gone abroad to the prejudice of General Howard, and the following letter was written:

WAR DEPARTMENT,
Washington, D. C., December 23, 1868.

SIR: I am directed by the Secretary of War to inform you that the approval of the proposed transfer of school property to associations, having such in charge, was not intended to extend to the building known as Howard College, and that the property is only to be transferred on the payments of a fair valuation, unless otherwise ordered by Congress.

Very respectfully, your obedient servant,

EDMUND SCHRIVER,
Inspector General.

COMMISSIONER OF THE BUREAU OF REFUGEES,
FREEDMEN AND ABANDONED LANDS.

Thus matters stood until the administration of General Grant came into power. General Howard had frequent consultations with Secretary Rawlins in regard to this transfer, and finally the following letter, directing the transfer to be made, was written by the Secretary on the last day, probably, that he occupied the War Office:

WAR DEPARTMENT,
Washington, September 1, 1869.

GENERAL: You are at liberty to treat the buildings erected for school and educational purposes in this District as you have been instructed to do with those erected in other districts under your supervision, conforming your action to the laws and regulations governing your department.

Respectfully, your obedient servant,

JOHN A. RAWLINS,
Secretary of War.

General O. O. HOWARD,
Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands.

All the conditions suggested by the head of the Bureau of Military Justice were exacted from the board of trustees, and the transaction was completed. These documents set forth plainly the law, the facts, and the circumstances of the transfer of moneys and buildings by the Commissioner to Howard University, and in the opinion of the committee such transfers were clearly legal and proper.

One of the first and most prominent objects that meet the eye of the visitor to this capital is the stately and beautiful edifice overlooking the city and the river, reminding him of the new and grand progress of the nation, realizing one of the dreams of Washington, who himself desired to found here a great university. Let it be remembered, too, that in this institution, as in no other in the land it is believed, the Anglo-Saxon, the Celt, the Indian, the Mongolian, the Greek, and the African already sit, side by side, on the same benches. All races and both sexes have here, in the pursuit of knowledge, a fair field and equal favor.

IMPROPER DISPOSAL OF UNIVERSITY LANDS.—CHARGE 2.

The second charge asserts "that portions of the land alleged to have been sold for the benefit of Howard University were disposed of improperly to members of his own family and officers of his staff."

The Smith farm, immediately upon its purchase, was divided into lots and sold, (save what was necessary for the purposes of the university,) by direction of the board of trustees. The following is an extract from the records of the board, dated April 8, 1867:

On motion of E. M. Cushman, esq., General Whittlesey, financial agent, was instructed to select a lot, at discretion, not to exceed one acre in area, from the grounds of Howard

University, the same to be donated to General Howard for the purpose of erecting a private residence thereon.

The Smith farm was beyond the limits of the compact city, and settlement and buildings had not yet reached it. In order to secure purchasers for the lots, and make a beginning of a settlement, the trustees made to General Howard the above offer of an acre of ground on condition that he should erect a dwelling-house upon it for his own occupation. In making this offer, the trustees did only what any wise business man, desirous of bringing real estate in the outskirts of a city into market, would do under similar circumstances. The committee have no doubt that, had General Howard accepted the offer, the remainder of the land would have been enhanced in value by the erection of his dwelling to an extent at least equivalent to the value of the land so donated. But General Howard did not accept, and afterward purchased an acre of land, paying for it \$1,000, a sum slightly in advance of the original cost of the ground, at the same time binding himself to build thereon a house to cost not less than \$10,000. It further appears in evidence that General Howard sold a residence then owned by him in this city and, with the proceeds thereof, did erect a house upon the lot purchased by him from the trustees of Howard University. The committee are unable to find anything improper in this transaction, and are of the opinion that, under the circumstances, quite as much benefit accrued to the university as to General Howard.

No member of General Howard's family, or officer of his staff, obtained any land except at the schedule prices fixed by the board of trustees for all purchasers. General Balloch, disbursing officer of the Bureau, and Mr. Alvord, superintendent of schools, are the only bureau officers who made any purchases; and they paid full schedule prices. The evidence of the agent who sold the lots is clear and explicit that no favors were shown to any member of General Howard's family, to any officer of his staff, or to any other person whomsoever. The committee find, therefore, the second charge entirely destitute of foundation.

CONGREGATIONAL CHURCH BONDS.—CHARGES 3 AND 10.

There is nothing in the evidence to show that "the bonds of the First Congregational church of the City of Washington were taken in payment for a portion" of the land known as "the Smith farm," on which the university buildings are erected, as charged in the third specification. To give a clear and concise statement of the purchase of church bonds, it will also be necessary to consider, in this connection, the tenth specification, as it relates to the same subject.

By virtue of section 13th of act of July 16, 1866, the Commissioner was clothed with almost unlimited authority to co-operate with private benevolent associations for the education of freedmen and refugees, which also involved the discretionary use of funds at his disposal in aid of this object.

The construction of this statute, in the judgment of the committee, as well as that of the Comptroller of the Treasury, to which reference is elsewhere made, justified the Commissioner in aiding the work of education among these people in any manner that to him might seem necessary and proper. Hence the legal right to apply money at his command to this purpose is unquestioned, and he is therefore responsible only for the exercise of a sound discretion in this work.

A charity fund had been transferred by General Howard to General

Balloch, treasurer of Howard University, in accordance with Special Order No. 185, to be invested on interest for the University. This fund was invested by General Balloch, as treasurer of Howard University, in the Congregational church bonds. And it was a good investment. Senator Pomeroy, Mr. Ramsey, and other witnesses, testified as to the worth of the church property upon which General Balloch loaned the money, and the committee find that the security was ample.

These two charges are utterly without foundation.

THE BUILDING-BLOCK COMPANY.—CHARGES 4, 5, AND 6.

There is no denial of the assertion that the university and hospital were built of patent brick, furnished by D. L. Eaton & Company, in the fourth charge misnamed the American Building-Block Company. But there is no proof that General Howard was a stockholder in, or in any way connected with, the company at the time the materials for those buildings were furnished. The evidence shows that the company organized with General Howard as a stockholder. It was a private business transaction at its organization, wholly disconnected with the university or with the administration of the affairs of the Bureau.

The patent brick was brought to the attention of the trustees of the university, and its claims as a building material urged upon them. Although it came to them highly recommended, not only by distinguished scientific men, but by able architects and experienced builders who had used it, they did not adopt it until they had themselves subjected it to severe tests. They finally decided to adopt it, and upon that decision General Howard, to avoid even the appearance of evil, withdrew from the company, disposing of his stock at its precise cost. There is no testimony to warrant the least suspicion that he in any way contributed to the expenses or shared the earnings of the company after the contract for the university was made. In fact, as a business venture the enterprise was, in a pecuniary point of view, a failure.

The specifications required that the university should be built of building-block; but the assertion that it should be taken from the brick manufactured by this company is disproved, not only by the testimony of several witnesses, but by the specifications themselves, a copy of which was put in evidence. Nor was any such monopoly in furnishing the material the necessary result of the specifications, as the right of D. L. Eaton & Co. to manufacture the patent brick in the vicinity of Washington did not carry with it the exclusive right to its use in that locality.

That the brick of which the walls of the university building were constructed was not unfit for use is shown by the fact that the building is strong, safe, and durable. The walls of the hospital fell while in process of construction, and were rebuilt. While it is in evidence that the building-block of which it was constructed was not of as good a quality as that of the university, and was put into the wall without being properly dried, still the evidence tends to show that the walls would not have fallen but for being left uncovered and exposed to heavy rains for a period of several days in the winter months, followed by severe freezing. The frost acting upon the saturated walls crowded them apart and caused their fall. But in spite of this accident, the testimony of witnesses who avowed themselves hostile to the patent brick as a building material, that the university cost at least twenty-five thousand dollars less than if built of ordinary pressed brick with stone trimmings,

shows a large saving in the aggregate cost of the buildings on the university grounds.

GOVERNMENT LUMBER USED BY THE BUILDING BLOCK COMPANY.—
CHARGE 7.

No testimony before the committee tends to substantiate, in the remotest degree, the assertion contained in the seventh charge, that General Howard permitted the firm of D. L. Eaton & Co., or any one else, to use lumber belonging to the government. On one occasion, rumors of this character reached him, and he immediately issued positive orders for the seizure and restoration of the property. It afterwards came out in evidence, however, that the only lumber taken was a couple of cart-loads of old lumber from some fallen sheds that were upon the Smith farm at the time of its purchase, the value of the whole being estimated by the witness who saw it taken at \$7 50.

GENERAL HOWARD PAYS RENT FOR BUREAU HEADQUARTERS.—
CHARGE 8.

All the testimony adduced goes to show that General Howard pays rent to Howard University for a headquarters of the Freedmen's Bureau. It shows further, that previous to its removal to the university he paid \$5,000 per annum for indifferent accommodations in the city, while he now pays only \$3,000 per annum to the university for much better quarters. The committee think this allegation, which is termed the eighth charge, is true, and entirely approve the Commissioner's conduct therein.

THREE SALARIES.—CHARGE 9.

This charge is wholly untrue. General Howard receives pay as an army officer according to his rank, but not as Commissioner of the bureau. The president of Howard University has the nominal salary of one dollar per annum, which has never been received by General Howard.

YOUNG MEN'S CHRISTIAN ASSOCIATION—CHARGE 11.

This charge was not sustained. The Commissioner advanced no sum of money whatever from the bureau to the Young Men's Christian Association. Individually he held \$1,500 in bonds or stock, which the trustees of Fisk University, at Nashville, Tennessee, elected to take in lieu of cash, which they did not immediately need. General Howard guaranteed that the stock should be redeemed at par within a year; and within the year he did redeem it at par, and with interest. This is the whole transaction out of which the eleventh charge was manufactured.

There was no attempt at concealment or evasion, and it is not easy to conceive how an ordinary transaction, simple, honorable, and safe to all parties, could be tortured into a grave charge against General Howard.

The testimony of Professor Ogden, of the Fisk University, sets forth the whole matter clearly. In disposing of this and the preceding charge, the committee cannot refrain from observing that the charge against a public officer of grave frauds committed upon the public treasury, not for his own personal gain, but in the interest of a Congregational church and a Young Men's Christian Association, is, as it is believed, quite novel in the history of such investigations.

ST. AUGUSTINE NORMAL SCHOOL.—CHARGE 12.

The twelfth charge is that General Howard "caused or knowingly allowed lands in this city, owned by an officer of the bureau, to be transferred to a freedmen's school in North Carolina, the officer taking the money appropriated for that school and the school the lands in this city, thus perpetrating a fraud both upon the government and the freedmen."

This charge is utterly unfounded so far as it imputes any impropriety to the Commissioner. The land supposed to be referred to (part of square 1,025) was voluntarily purchased, as a promising investment, by the North Carolina Institution, with that part of their fund not desired for immediate use. It has risen largely in value since the investment, and a large increase of the property available for the education of the freedmen has been the result.

BARRY FARM.—CHARGE 13.

The thirteenth charge is one of the gravest character. "That he was interested in the purchase of a farm of about three hundred acres, near the Lunatic Asylum in this county, for which the public funds and other property of the government were used. Buildings were erected thereon, built of lumber belonging to the government, and then let or sold to freedmen at exorbitant prices; and that he and his brother, Charles Howard, were personally interested in this transaction as a private pecuniary speculation."

Not a particle of evidence tending in the least to support this charge has been adduced. On the contrary, the whole transaction reflects the highest credit on General Howard.

A large number of colored persons, shortly after Sherman's march to the sea, crowded into Washington, where they were huddled together in the most destitute condition. Large numbers of them were living in old barracks, on land belonging to private persons, which were about to be torn down that the land might be restored to its owners. These colored people could only hire dwellings at exorbitant rents, and land owners were extremely unwilling to sell them land even if they had possessed the means of payment. Under these circumstances, General Howard, acting in concert with Senator Pomeroy, and under the advice of the present Chief Justice of the United States, conceived the happy idea of making a fund, destined for certain southern schools, do double duty in rescuing these people from suffering and starvation. Accordingly some of the heads of families were called together and the proposition made, which they joyfully accepted, and which was accordingly carried into execution, that the bureau should purchase a farm, divide it into acre lots, furnish at cost lumber enough to build upon each lot a comfortable dwelling, and sell them these dwelling places at a price which should exactly cover the original outlay and interest, allowing each purchaser to pay for his lot in installments of ten dollars a month from his earnings, (a sum not more than he would have had to pay for rent for less comfortable accommodations in the city,) and to receive a deed when the payments were completed. The moneys, when paid in, were divided among three schools in the South. The lumber for these buildings was purchased in Maine at a great saving, (more than \$7,900,) as compared with prices in Washington. By this arrangement, three hundred and fifty-eight families, comprising, probably, nearly three thousand human beings, were rescued from pauperism and suffering, and

established in independent and comfortable homes, without diminishing the amount or impairing the usefulness of the fund in benefiting the institutions of education to which it was finally destined. These dwellings were secured to the freedmen at an average cost of about \$250. Neither General Howard nor any other person, except the freedmen, received the slightest personal or pecuniary benefit from the transaction. The prices were not exorbitant, as asserted in the charge. On the contrary, there was no real cost to the purchaser, and no fraud, either on the government or the freedmen; but a vast benefit accrued to the latter, and credit and glory to the former.

In the judgment of this committee General Howard was fully justified in this expenditure. And, in regard to the legality of the transaction, so careful was he to keep within the authority conferred upon him by law, that in this, as in other cases, he consulted not only the treasury officials, but others whose judgment is entitled to great respect and confidence, before making this application of funds.

Each quiet little cottage on Barry farm is a monument to General Howard's philanthropy more glorious than any marble shaft or sculptured bust. Thank God it is so near the capital of the nation. Perhaps others may profit by and imitate it.

GENERAL EXTRAVAGANCE.—CHARGE 14.

Under this general head it may be proper to advert to two or three matters which consumed considerable time in the investigation. It is in evidence that a certain contract for sand was abandoned, and another substituted, by which the sand was obtained on less favorable terms; also that more sand was drawn than was used in the buildings. But it is also in evidence that the officer who made the contract supposed at the time it would result in a saving to the bureau. This is evidently one of those mistakes that sometimes will occur without the intentional fault of any one. By this mistake some loss was sustained, the testimony being very indefinite as to the amount. But the parties with whom the contracts were made uniformly testify that General O. O. Howard was not responsible for nor connected with the transaction in any way. The person whose oversight occasioned the principal loss was promptly discharged; or, finding that he was to be discharged, resigned.

A witness was called from Kentucky by whom it was proposed to prove that certain attempts had been made in that State to purchase bounty claims from the freedmen at cheap rates, and then obtain full payment upon them from the bureau. The committee voted that the complainant be at liberty to make such proof, if he first showed that General Howard knew or was informed of the facts. No such proof being offered, and a full investigation of the same transaction having been already made by order of the War Department, resulting in the exoneration of persons connected with the bureau, now sought to be convicted, it was not deemed proper to pursue the investigation further.

A witness was also called from Florida, who complained that property had been taken from him and restored to a rebel owner without compliance with the conditions prescribed by law. It did not appear that General Howard personally had anything to do with the matter, and it did not seem to the committee to require further investigation. General Howard was extremely anxious that General Sprague, the assistant commissioner for the department of Florida, should be called

and these matters thoroughly inquired into; but the committee did not choose to protract the investigation.

To refer to every item which the prosecution attempted to prove would prolong this report to a tedious extent. But outside of the matters to which reference has already been made, nothing has been proven which was not utterly insignificant and unworthy of mention. In the immense mass of evidence taken—between 3,500 and 4,000 pages of manuscript—no particle tends, in the judgment of the committee, to show that the Commissioner has ever had a personal object in any official act. On the contrary, the committee deem it remarkable that in a work so vast, so novel in its character, involving an expenditure so immense, and necessitating the employment of so many subordinates, so few instances of abuse of funds, or of losses by unavoidable accident or oversight, are claimed even by its enemies. And in these few instances no evidence whatever is adduced tending to show either complicity or negligence on the part of General Howard. The committee therefore find that the fourteenth charge is utterly without foundation.

THE FREEDMEN'S BUREAU "RING."—CHARGE 15.

The charge that General Howard belonged to a "ring" known as the "Freedmen's Bureau ring," is couched in language of some one more conversant with corrupt political combinations than with philanthropic institutions. It is evidently intended to convey the idea that General Howard, and those who were united with him in the great work of ameliorating the condition of the freedmen, were banded together to use the positions which they held for political purposes or private gain. This very vague and indefinite charge is in no way supported by the testimony. His accuser has not produced a particle of evidence to show that, in the administration of the freedmen's affairs, General Howard has been in any way derelict. The "ring," sneeringly so called, with which he was connected, was a noble band of patriots and philanthropists, of missionary associations, of educational institutions, of learned and eminent divines, of devoted and benevolent men and women, who were willing to leave the comforts of home, and the society of relatives and friends, for the purpose of carrying the lights of education and religious instruction among the newly enfranchised people of the South, regardless of the brutal insults of prejudiced mobs or the heartless sneers of educated rebels.

RECKLESSNESS WITH WHICH THESE CHARGES WERE PREFERRED.

In leaving the consideration of the several charges in detail, the committee deem it their duty to remark upon the recklessness with which they seem to have been preferred. At the outset, Mr. Wood stated that he had no personal knowledge of the subject-matter of the charges, and that if he had any prejudices at all they were in General Howard's favor. As the investigation proceeded, it became quite evident that whoever had supplied Mr. Wood with information had, certainly in regard to some of the charges, been guilty of the most culpable indifference to truth, and had suffered himself to make grave accusations, which were not only without the slightest foundation in fact, but which the least pains would have shown to be false. For instance, charge ninth, that General Howard draws three salaries. If General Howard had drawn his salary as a brigadier general in the United States Army, and another as Commissioner of the Freedmen's Bureau, the fact could easily have been ascer-

tained by inquiry at the Treasury. If he had drawn a salary as head of Howard University, the fact could have been immediately verified by examining the records of that institution. A charge, the truth or falsity of which could so readily have been ascertained from easily accessible sources of information, would never have been preferred by any person who desired rather to adhere to truth than to poison the public mind by reckless and unfounded slanders. So with the charge that General Howard and his brother were interested in the purchase and sale of the Barry farm as a private speculation for their own pecuniary benefit. The transaction took place in the face of day. Its details were well known to men high in office, and high in character. The Chief Justice of the United States was an adviser to it. The prices paid by the freedmen for their homes were known to every one of the three hundred and fifty families for whose benefit the farm was acquired and divided. And so, in fact, with nearly all the charges.

THE COMMITTEE have thought it proper to deal, primarily, with the charges referred to them by the House. But it would be unjust to the gallant officer and faithful public servant who has so honorably passed the severe ordeal to which he has been subjected, daily, during the past three months, to close this report with a simple verdict of acquittal. 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. It is even necessary to a clear understanding of this case to give a brief outline of the Bureau of Refugees, Freedmen and Abandoned Lands, the necessity that called it into existence, the work to be done by it, and the results of that work as compared with emancipation elsewhere. The great labor to be performed, its unremitting and exhausting anxieties, the wide field of operations, the obstacles that interposed and were to be overcome, the breadth of mind and sympathy of heart necessary to the proper accomplishment of the task, are facts which must be considered in forming a just estimate of General Howard's services.

ORIGIN OF THE BUREAU.

The causes that gave existence to this bureau were war and emancipation. The invariable and natural results of war are suffering, want of food, and of employment.

As early as November, 1862, more than thirteen thousand refugees had collected in Washington, Alexandria, Hampton, and Norfolk. On January 1, 1863, Mr. Lincoln's proclamation of emancipation was issued. The vast amount of want and suffering already existing made it necessary for the government to interpose. Nothing short of government aid could reach the great and imperative necessities of the situation. Two and a half millions of landless, houseless, and breadless wards appealed to the government to guard and save them. Thousands of refugees, white and black, flocked to the different military posts occupied by federal troops throughout the South, or came a short distance within our lines. A large proportion of these persons were physically unable to provide for themselves—old and infirm men and women, and very young children. In 1865 one hundred and forty-eight thousand persons were receiving rations from the Commissary Department. Noble men and women, in all parts of the country, had endeavored, individually and by means of aid associations, to relieve this wide-spread suffering.

But their success was, necessarily, limited. It was a work that could only be properly performed by the people of the United States—by the government.

On the 10th of February, 1864, Mr. Eliot, of Massachusetts, reported back from the Committee on Freedmen's Affairs, a bill to establish the bureau; and on the last day of the thirty-eighth Congress, March 3d, 1865, the bill became a law *by two votes*.

This act of March 3d transferred to the bureau all the care of refugees and freedmen; also, the control of abandoned lands, which had previously been in charge of special agents of the Treasury Department.

The total receipts of the bureau, by appropriations and otherwise, may be set down at thirteen million dollars; or, more accurately, twelve million nine hundred and sixty-five thousand three hundred and ninety-five dollars and forty cents.

The territory embraced by the operations of the bureau comprised the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky, Missouri, Kansas, Delaware, Maryland, West Virginia, and the District of Columbia. The colossal proportions of the work of the bureau will be seen at a glance. Its operations extended over 300,000 square miles of territory devastated by the greatest war of modern times, more than four millions of its people sunk in the lowest depths of ignorance by two centuries of slavery, and suddenly set free amid the fierce animosities of war—free, but poor, helpless, and starving.

Here, truly, was a most appalling condition of things. Not only the destiny of the liberated race was in the balance, but the life of the nation itself depended upon the correct solution of this intricate problem. It was a great practical question that had to be met.

The letter of Mr. Whiting, Solicitor of the War Department, setting forth the details of the scheme, has been cited in another connection. His plan was substantially adopted by Congress, save in regard to the suggestion that the head of the work ought to hold a Cabinet position, to which the dignity and magnitude of his duty certainly entitled him. Then arose the practical question—who among the tried, wise, and humane men of the nation should be trusted with the execution of this work? As has been heretofore stated, Major General Oliver O. Howard was appointed Commissioner of the Freedmen's Bureau in 1865. The duties assigned him were novel and perplexing. He had no landmarks to guide him. The experiences of France and England were even discouraging.

FRENCH EMANCIPATION IN THE ANTILLES.

The French government, in a fit of enthusiasm over liberty, declared emancipation in all her colonial dependencies. This occurred in 1794. It brought only confusion and collision in the different islands. To proclaim liberty was one thing; but to maintain it under proper restraints of law, and to allow emancipation to bring forth its legitimate fruits, was another and quite a different problem, and one which the wisdom of France could not solve. True, 250,000 slaves had been freed; but war, insurrections, jealousies, and race-hatreds arose and bore their natural fruits. Emancipation seemed to be only a consuming curse to these islands, and France, wearied out by the heart-sickening condition of her colonies, in the year 1802, the year of the peace of Amiens and of the consulate, solemnly decreed re-enslavement.

BRITISH EMANCIPATION.

In abolishing slavery, the English government found itself beset with difficulties which it attempted to overcome by adopting a system of semi-slavery or apprenticeship. It is generally understood that this was the scheme of Lord Brougham. Wilberforce, Clarkson, and others, had given sixteen years of thought and effort to the abolition of the slave trade, and now that emancipation itself was a fixed fact, the combined wisdom of English statesmen, Pitt, Fox, Burke, and others, agreed upon apprenticeship; it exploded, however, before the prescribed term of years which it was to run had expired. In other words, the entire scheme was a failure.

Such were the lights General Howard had before him for his guidance.

The emancipation problem in Russia was, in many important respects, different from ours, and he could get no hints from that quarter to serve him. The failures of the past were before him, and, as he thought, the causes of them. He could get but little consolation from those sources, so he addressed himself boldly to the work before him from a new standpoint. The impulses of freedom and progress were controlling the national mind; and, trusting to these impulses, he went to work on the principle that only "ideas save races." If the negroes were to be saved, and were to benefit civilization, it was to be only by making them self-relying and responsible citizens. His first attempts, therefore, were to prevent pauperism, to make the freedmen and their families understand that charity should be considered odious by them, that they should work to support themselves and families, and that they should be educated.

The bureau, at the close of the war, was the representative at the south of the best ideas of the country, promoting peace and ordaining justice. What it accomplished in this respect exceeded the expectations of its most sanguine advocates.

Let it be forever remembered, to the credit of the colored race, and of the inspiration that prompted General Howard's plans, that not one insurrection, not one murder, has occurred, on the part of the negroes, in revenge for two centuries of slavery. Yet the two races have lived side by side, in the same neighborhoods, looking in each other's eyes, while this wonderful transformation has been going on. What a different spectacle presents itself on the blood-drenched sands of the Antilles under French rule. Ours was the substitution of moral for brute force.

It may be well to state, in this connection, that it was in a freedmen's court that colored persons were first admitted to testify in any of the late slave States. To day all the courts are open to them, and a colored senator sits at the other end of the capital and assists in making laws for those courts.

Not less potent has been the influence of the bureau on the labor question. At the close of the war famine looked the South in the face. There was a cry for bread throughout the southern country. It was sneeringly said by the enemies of emancipation that the negro would not labor. Satisfied by the bureau that contracts would be enforced, that justice would be administered, with words of encouragement whispered in his ear, the negro went to work. The battle-plowed, trampled fields of the South yielded a wealth of production that seemed not the result of human labor, but as if "earth had again grown quick with God's creating breath." The crops at the South have been larger, proportionally, since the war than at any previous time.

An article by Sidney Andrews, in the February number of the "Old and New," makes the following concise and truthful statement of the workings of the bureau:

Of the thousand things that the bureau has done no balance sheet can ever be made. How it helped the ministries of the church, saved the blacks from robbery and persecution, enforced respect for the negro's rights, instructed all the people in the meaning of the law, threw itself against the strongholds of intemperance, settled neighborhood quarrels, brought about amicable relations between employer and employed, comforted the sorrowful, raised up the downhearted, corrected bad habits among whites and blacks, restored order, sustained contracts for work, compelled attention to the statute books, collected claims, furthered local educational movements, gave sanctity to the marriage relation, dignified labor, strengthened men and women in good resolutions, rooted out old prejudices, ennobled the home, assisted the freedmen to become land-owners, brought offenders to justice, broke up bands of outlaws, overturned the class-rule of ignorance, led bitter hearts into brighter ways, shamed strong hearts into charity and forgiveness, promulgated the new doctrine of equal rights, destroyed the seeds of mistrust and antagonism, cheered the despondent, set idlers at work, aided in the reorganization of society, carried the light of the North into dark places of the South, steadied the negro in his struggle with novel ideas, inculcated kindly feeling, checked the passion of whites and blacks, opened the blind eyes of judges and jurors, taught the gospel of forbearance, encouraged human sympathy, distributed the generous charities of the benevolent, upheld loyalty, assisted in creating a sentiment of nationality—how it did all this and a hundred-fold more, who shall ever tell? what pen shall ever record?

These are warm and generous words. They are eloquent. But the facts they state are still more eloquent.

Still it is asked,

HAS THE BUREAU BEEN A SUCCESS?

Success! The world can point to nothing like it in all the history of emancipation. No thirteen millions of dollars were ever more wisely spent; yet, from the beginning this scheme has encountered the bitterest opposition and the most unrelenting hate. Scoffed at like a thing of shame, often struck and sorely wounded, sometimes in the house of its friends, apologized for rather than defended; yet, with God on its side, the Freedmen's Bureau has triumphed; civilization has received a new impulse, and the friends of humanity may well rejoice. The bureau work is being rapidly brought to a close, and its accomplishments will enter into history, while the unfounded accusations brought against it will be forgotten. There is a day and hour when slander lives not. When the passions of men subside, and when the dust of time has well fallen, then comes the hour of calmer judgment. Many-tongued scandal has the briefest of existence:

A wandering night-moth,
Allured by taper gleaming bright,
Now busy, now all darkling,
She snaps and fades to empty air.

Evil is quickly forgotten; truth alone is abiding.

In conclusion, the committee find on the whole case, that the charges are utterly groundless and causeless; that the Commissioner has been a devoted, honest, and able public servant. The committee find that his great trust has been performed wisely, disinterestedly, economically, and most successfully. If there be anything in the conduct of the affairs of the bureau which could excite a suspicion, even in the breast of partisan or personal hate, it is owing to the fact that General Howard, conscious of his own purity, intent on his great work, has never stopped to think of the appearances which men of less conscious integrity much more carefully regard.

Who is the inventor or instigator of these charges it is not the purpose of the committee to inquire. Mr. Wood, as has already been stated, disclaims all personal responsibility for them. The evidence which he adduced was not evidence tending to establish the accusation,

but was, nearly all of it, merely experimental—an inquiry by the person calling the witness into the details of transactions of which he seemed to have neither accurate knowledge or information. While the examination was going on, with closed doors, under a pledge of secrecy imposed on the committee, counsel, and parties, incorrect statements, purporting to be reports of the testimony, were spread extensively through the country, most injurious to General Howard, and utterly without support in the evidence. It is not in the power of the committee or the House to repair this injustice, or to compensate this faithful public officer for the indignity, anxiety, and expense which his defense has entailed upon him. All that is in our power is to recommend to the House the passage of the following resolution, as expressing our opinion of the whole case, and an act of justice to a faithful and distinguished public servant:

Resolved, That the policy pursued by the United States toward four and a half millions of its people suddenly enfranchised by the events of a great civil war, in seeking to provide for them education, to render them independent and self-supporting, and in extending to them civil and political equality, is a source of just national pride; and that the House hereby acquits Major General Oliver O. Howard of the groundless and causeless charges lately preferred against him, and does hereby declare and record its judgment, that in successfully organizing and administering with fidelity, integrity, and ability the Freedmen's Bureau, which has contributed so much to the accomplishment of the first two of these great ends, he is deserving of the gratitude of the American people.

SAMUEL M. ARNELL.

JOHN BEATTY.

GEORGE F. HOAR.

WASHINGTON TOWNSEND.

CHARLES M. HAMILTON.

SAMUEL S. BURDETT.

JAMES N. TYNER.

LEGRAND W. PERCE.

APPENDIX.

Extracts from the official report on public education in the United States to the minister of public instruction of France, by M. Hipeau.

ÉCOLES POUR LES ENFANS DE COULEUR, (COLORED SCHOOLS.)

Nothing, in my opinion, reflects more honor on the United States than the zeal which the government and private associations displayed during the most terrible periods of the great war of secession to assure to the negroes of the South the means of existence and to create schools for them and their children.

The extraordinary events which resulted so unexpectedly in the emancipation of the slaves of the South, and which have subsequently led to the acquisition by them of the title and civil and political rights of citizens, caused also the creation in every State of a freedman's bureau, and these bureaus, organized with that promptitude and marvelous spirit which characterize all enterprises in which a great national interest is taken, immediately began to organize all over the South schools for people of color. Before the attention of Congress was called to this point a great number of private associations had been formed in the different States for aiding the freedmen. Multitudes of men, women, and children, flying from slavery, followed in the wake of the northern armies, imploring aid from the soldiers and offering their services.

It was the women who responded with the most alacrity to the call made for teachers of schools founded for colored children in all the cities in which the victorious army of the North had replanted the flag of the Union.

It would be impossible to convey an idea of the energy and friendly rivalry displayed by the women of America in this truly Christian work. In the year of 1862 public meetings were held in New York, Boston, and Philadelphia, and soon were formed, under the double influence of humanity and religion, the "Association for the Aid of Freedmen," and the "Missionary Association" in New York; the "Committee of Education" in Boston; the "Societies of Education" of Philadelphia, Cincinnati, and Chicago. Special periodicals were established to publish the results achieved by each of these societies, to announce the voluntary donations collected by the committees, and to publish the letters and reports from all the different places wherein the protectors of the blacks were exercising their beneficent functions. In one year 1,500 schools for colored pupils were opened. No sooner had the northern army captured a new city than a host of devoted teachers, of both sexes, also entered it. In incorporating negroes into the northern armies the Union generals formed regimental schools for them.

Sherman in Georgia, Banks in Louisiana, and Howard in Tennessee, evinced, in forwarding this great work of humanity, no less interest and energy than in the prosecution of the war.

And it should be here stated, to the honor of a race so long disinherited, so long condemned to degradation, to brutality, to ignorance, (a law of the South punishing with death any one convicted of teaching a slave to read or write,) that no spectacle could be more touching than that offered by these helpless, unfortunate men, old and young, women and children, as eager to rush to the schools established for the regeneration of their minds and souls as to the places where they were provided with food and shelter. Never did a famished man pounce more eagerly upon food placed before him than did these poor fugitives upon the bread of knowledge, a sublime instinct causing them to regard education as the first condition of their regeneration.

The beneficent Peabody consecrated five millions to the schools of the South. A single association, the American Missionary Association, received more than 45,000 francs per month; but this sum was insufficient to alleviate to a great extent the vast amount of physical and moral suffering which existed. Congress gave forty-five millions of francs to the Freedmen's Bureau, the presidency of which was confided by Lincoln to General Howard, who had lost an arm in one of the latter battles of the war. What this bureau has accomplished since the day of his installation is incredible. The unfortunates out of whom men and citizens were to be made required all kinds of assistance. They not only needed schools, but hospitals; and these latter were established for them. From 1861 to 1866, nearly four hundred thousand freedmen had filled the forty-eight hospitals created for them, and in which twenty thousand souls succumbed to misery, fatigue, and wounds received in fighting for the cause which assured to their race liberty and independence.

Such was the devotion of the men and women occupied in the education of children, that the number of schools increased so rapidly (there were four thousand at the commencement of 1868) that more teachers were required than the North and West could supply. The generals and superintendents of the Freedmen's Bureau partially supplied this want by creating normal schools for the blacks, and by confiding to them as soon as they acquired the rudiments of reading, writing, and arithmetic, the responsibility of communicating their knowledge to others. Admirable pupils, they became excellent professors. They themselves were then able to found schools. God knows at the price of what sacrifices and what privations. In 1868, they supported at their own cost twelve hundred schools, and owned three hundred and ninety-one school buildings.

One fact alone goes to show the importance attached by them to education. In 1863, Louisiana had schools enough, supported by taxation, to furnish instruction to 50,000 freed persons. Pressing needs having caused the abolishment of the tax, they were at first disheartened, but they soon regained their courage. They held meetings. Already they were paying, like the whites, a tax levied for public instruction, but which was employed entirely to sustain schools for the whites, and from which the blacks were excluded. Notwithstanding this injustice, they demanded to be authorized to furnish a special contribution for the education of their children, and, at the same time, were willing to pay the general school tax, and maintain their own schools themselves. In a few years the emancipated race had already elevated itself to the level of the civilizing race.

Surely the American people are entitled to admiration and thanks for the generous ardor with which they have lavished their gold and employed their noble and powerful initiative in giving to their new brethren all the advantages which accrue from education.

I was fortunate enough to be able to collect evidence which corroborates the statements just made, and, on arriving in Washington, after a visit to Mr. Henry Barnard, the Commissioner of Education, and his zealous secretary, Mr. Angerer, I hastened to pay a visit to the illustrious organizer of the Freedmen's Bureau, General Howard, and his worthy colaborer, Mr. Eliot. It was in Washington that the first schools for the children of freedmen were established. The schools are of all grades, and the general is even constructing large, beautiful edifices for a college and a university. I was full of the memories of the most flourishing schools in the East, and I was well qualified to judge for myself of the differences in intellectual aptitudes of the two races. I must say that I have been unable

to discover any. All the teachers, both male and female, that I have consulted on that point are of the same opinion.

My opinion of the intellectual aptitudes of colored children is shared by men of good faith who have, like me, visited the schools of the South. An English traveler, Dr. Zincke, in an account of his travels in America, says: "I must confess my astonishment at the intellectual acuteness displayed by a class of colored pupils. They had acquired, in a short space of time, an amount of knowledge truly remarkable; never in any school in England, and I have visited many, have I found the pupils able to comprehend so readily the sense of their lessons; never have I heard pupils ask questions which showed a clearer comprehension of the subjects they were studying."

What I saw at Oberlin confirmed entirely the opinions I had formed by my visits to the schools of the South. This remarkable institution is educating a large number of colored students. I found fourteen young colored girls in the most advanced class, and they appeared in no way inferior to their white companions. In 1868 the degree of A. B. was conferred upon fifteen young men and ten young women. The principal of the institution, in an address to the students, stated that in literary taste and philological ability these colored pupils were unexcelled by any of their white fellow graduates. The opinion of the professors at Oberlin is that there is no difference in intelligence manifested by the two races. In a Greek class of twenty-seven pupils of both races, instructed by a young lady of twenty-five years, daughter of one of the professors of the college, a young colored girl translated, with exactitude, a chapter of the first book of Thucydides. The negro race constitutes nearly a fifth part of the population of Oberlin, and one of the professors assured me that the most peaceable, well-behaved, and studious citizens of that place belonged to the colored race. They are associated with the whites in all business and social relations, and no animosity is exhibited by either. The white man there is no more disturbed at sitting beside a colored man in the municipal council or on the committee of education than in an omnibus or at a restaurant table. This fair treatment of the blacks, however, is by no means universal; but every day weakens the repugnance which has hitherto constituted an insuperable barrier between the two races.