

The Freedmen’s Bureau in Brazoria County, 1865-1867

OVERVIEW:

This lesson plan contains three activities. The activities are designed to build on one another, but teachers may opt to do a single activity or any combination of activities depending on how much time is allocated to teach Reconstruction. Each activity asks students to start by reading the short narrative about a complaint five formerly enslaved men filed with the Freedmen’s Bureau in Brazoria County concerning a labor dispute. Students will have the opportunity to read and examine the documents of the testimony of the five men involved in the dispute and their employer’s representative. Students will consider this testimony alongside additional primary sources that reflect what Freedmen’s Bureau agents witnessed and reported on concerning what life was like in Texas for freed people.

BACKGROUND:

Five weeks before the Confederacy surrendered, on March 3, 1865, the United States Congress passed “[An Act to establish a Bureau for the Relief of Freedmen and Refugees](#)” to create a government agency to provide food, shelter, clothing, medical services, and land to displaced and impoverished Southerners, including newly freed people. The Freedmen’s Bureau worked to build hospitals, establish schools, legalize marriages, locate family members, supervise labor contracts between freedmen and employers, and manage confiscated or abandoned lands. Congress initially authorized the Freedmen’s Bureau to operate “during the present war of rebellion, and for one year thereafter.” In 1866, Congress sought to renew the agency for two more years and extend its reach beyond the former Confederate states. President Andrew Johnson, however, vetoed the bill. In his veto message to Congress, Johnson offered three reasons for vetoing the program: 1) the expansive legislation infringed on states’ rights, 2) it provided aid to a specific group of people at the exclusion of others, and 3) it was too expensive. Perhaps more importantly, however, he considered the Southern states as fully restored and thus “entitled to enjoy their constitutional rights as members of the Union.”¹ A few months after Johnson’s veto, Congress negotiated a more moderate bill to extend the life of the Freedmen’s Bureau. Johnson vetoed this revised bill as well. This time, however, proponents in Congress mustered the requisite two-thirds majority vote needed to override Johnson’s veto and the Freedmen’s Bureau was extended for two more years. In 1872, the Freedmen’s Bureau officially closed, leaving newly freed people to deal with persistent discrimination and inequality on their own.

OBJECTIVE & LEARNING OUTCOME:

Students will analyze the primary source documents for what they reveal about freed peoples’ experiences in Texas after emancipation.

Students will be able to identify and draw conclusions about the roles of the Freedmen’s Bureau (Bureau of Refugees, Freedmen, and Abandoned Lands), critically analyze primary sources, formulate opinions about the effectiveness of the Freedmen’s Bureau, and back up their opinions verbally or in writing.

TEKS:

(8.9) History. The student understands the effects of Reconstruction on the political, economic, and social life of the nation. The student is expected to:

- (A) evaluate legislative reform programs of the Radical Reconstruction Congress and reconstructed state governments;

¹ President Andrew Johnson’s Veto Message to the Senate, February 19, 1866.

<https://www.presidency.ucsb.edu/documents/veto-message-437>

- (B) explain the impact of the election of African Americans from the South such as Hiram Rhodes Revels; and
- (C) explain the economic, political, and social problems during Reconstruction and evaluate their impact on different groups.

TEKS: 8.23

(8.23) Culture. The student understands the relationships between and among people from various groups, including racial, ethnic, and religious groups, during the 17th, 18th, and 19th centuries. The student is expected to:

- (C) identify ways conflicts between people from various racial, ethnic, and religious groups were addressed.

(8.29) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:

- (A) differentiate between, locate, and use valid primary and secondary sources such as media and news services, biographies, interviews, and artifacts to acquire information about the United States.
- (C) organize and interpret information from outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps;
- (D) identify bias and points of view created by the historical context surrounding an event;
- (E) support a point of view on a social studies issue or event;
- (F) evaluate the validity of a source based on corroboration with other sources and information about the author;

WARM UP:

- Make a list of 3-5 things that you think newly freed people *needed* after emancipation.
 - This question is purposefully open-ended so that students can define “needed” in multiple ways.
 - Teachers can do this as a think, pair, share exercise in which students come up with a list on their own, compare their list with another student, and then share with the class.
 - The purpose of this is to generate ideas about the ways in which the Freedmen’s Bureau worked or failed to meet these needs.
- Ask students to volunteer (or call on students directly) to share one of the ideas from their list or partnered discussion with the class. Make a list of their responses.
 - Having students identify freed peoples’ needs will help them assess the governmental response and the challenges they faced in post-emancipation Texas.

ACTIVITY #1: (1 class period)

- Read “The Freedmen’s Bureau in Brazoria County, 1865-1867” on the website and answer questions 1-7 on the accompanying worksheet.
- Read the excerpt from the Texas Black Codes (Document 6)
 - As they read, ask students to think about:
 - Which part of the law do you think limited freed people’s lives the most?
 - Under the Texas Black Codes, how could Black workers improve their working and/or living conditions?
 - Under the Texas Black Codes, how was life for Black people in Texas different after emancipation than under slavery?
- Bring the class together to discuss their answers.

- Have students return to the worksheet to answer questions 8-10.
- Time permitting, teachers might bring the class back together to discuss question 10 *before* (as preparation) or *after* (as reflection) students write their short response.

ACTIVITY #2: (2 class periods)

Day 1: See above.

Day 2: Finding Evidence & Making a Claim

- Review the previous day’s discussion about the Freedmen’s Bureau in Brazoria County and the Texas Black Codes.
- Divide students in small groups of 2-3.
- Using Documents 1, 2, 3, and 7, give each group the selected documents.
- Give students time to read the first document.
- As a class discuss the document and have students fill out a row of the graphic organizer to model how students should approach each document.
- Then have students work in their small groups to complete the graphic organizer for the remaining documents.
 - Possible variation:
 - Set up the documents as stations and have small groups rotate to each station to read and analyze the document. (Depending on class size, teachers might need to have multiple stations with the same document to keep groups small.)
- Bring the class back together and discuss students’ responses. Focus on the evidence they cited that shows what the document reveals about life after emancipation for freed people in Texas.
- In their group, have students write a claim (thesis statement) based on their evidence and that answers the prompt.
 - Teachers can differentiate for different reading levels considering the complexity of the document.
 - Teachers can give the same document to more than one group.
 - Students can work in their original small group, then collaborate with another group with the same document.
- As students read the documents, have them complete the appropriate section of the graphic organizer (Handout 2) to help them analyze the document for each document.

ACTIVITY #3 (3 class periods)

Day 1: See above.

Day 2: See above.

Day 3: Finding Evidence & Writing an Essay

- Put students back in their small groups from the previous day.
- Ask students to read over the claim (thesis statement) they made using the selected documents.
- Select some groups to read their claims to the class. Provide feedback about what makes a claim strong.
- Allow students a few minutes to revise their claim if needed.
- Provide students with 2-3 additional primary sources from the document set. Teachers can give different sources to different groups. Consider giving each group at least one of the visual sources.
- Provide students with the graphic organizer and give them time to analyze the additional sources.
- Then, have students (independently or with their small group) write a short essay proving or supporting their claim using specific evidence from the sources.

EXTENSION QUESTIONS:

- How did labor contracts and the Black Codes replicate (recreate) conditions similar to slavery for freed people in Texas?
- Based on the testimony and outcome of the case in Brazoria County, how effective do you think the Freedmen’s Bureau was in resolving conflicts between employers and formerly enslaved laborers?
- What do you think the most difficult obstacle freed people faced in Texas? Why?

DOCUMENT SET:

Document 1: Letter, *Brevet Lieutenant Colonel J. C. De Gress to Brigadier General Gregory*, November 30, 1865

Document 2: Report, *William E. Strong to Major General O. O. Howard*, January 1, 1866

Document 3: Labor Contract between Mrs. J. M. Winston and Ben Lee, January 1, 1866

Document 4: Letter, *Brigadier General E. M. Gregory to Major General O.O. Howard*, January 31, 1866

Document 5: Report, *S.J.W. Mintzer to Brigadier General E. M. Gregory*, January 31, 1866

Document 6: Texas Black Codes, passed August 26, 1866

Document 7: Letter, *William H. Sinclair to Brevet Lieutenant Colonel Ellis*, November 30, 1866

Document 8: Cartoon, “The Great Labor Question from a Southern Point of View,” *Harper’s Weekly*, July 29, 1865

Document 9: Testimony of Ben Lee, 1868

Document 10: Image, “Glimpses at the Freedmen’s Bureau—Issuing Rations to the Old and Sick,” 1866

Document 1

Letter, Brevet Lieutenant Colonel J. C. De Gress to Brigadier General Gregory, 30 Nov. 1865

Freedmen's Bureau Sub-Assistant Commissioner for the District of East Texas to the Texas
Freedmen's Bureau Assistant Commissioner

BACKGROUND: On November 30, 1865, Brevet Lieutenant Colonel J. C. De Gress wrote to Brigadier General Edgar M. Gregory, the Assistant Commissioner of the Freedmen's Bureau in Texas, to report on his findings from his tour of several east Texas counties. De Gress served as the provost marshal general of the District of East Texas as well as Freedmen's Bureau sub-assistant commissioner in Texas. Gregory prioritized improving the existing labor contract system and settling labor disputes between newly freed people and their former enslavers. He oversaw twenty-one local agents and sent them out to assess conditions for freed people. Newly freed people rightfully distrusted planters and held out hopes that the government would redistribute lands confiscated from Confederates. Planters wanted to maintain control over freed people's labor. Gregory sent De Gress to tour several east Texas counties and report back about what he saw.

Houston Tex. Nov" 30, 1865

General I have Just returned from a tour through Montgomery, Walker, Trinity, Polk, and Liberty counties and for your information I have the honor to respectfully report that in some parts of the above named counties the negroes are not yet free, that the old system of whipping and abusing them has not been abolished, further the hunting of freedmen by bloodhounds is carried on to a great extent that a white man who is disposed to be loyal to the United States Government cannot hire a freedman without the permission of his former owner, for fear of being killed. Committees have been established in some counties to prevent the freedmen from going to their homes in other states and to whip all freedmen that attempt to live with their families or those that try to get their children to support and educate them. The Education of the children of freedmen as a universal thing is discountenanced by most Planters. The people show no disposition to obey Genl [General] orders from Hd. Qrs. Dept of Texas regarding the wearing of Rebel uniforms, and I have seen but few men but what were armed and ready (judging from their language) to use said arms against the United States Authorities; at Huntsville some men openly defied some of the United States soldiers composing the escort of Genl Gregory and Genl Gregory as I understand was compelled to disarm said men to avoid a collision. They say that they whipped the Yankees in the Dept of the Gulf in the last fight and that they would fight and whip them again, and further did not intend to give up their arms. Freedmen are being murdered in great numbers in this District and the majority are not receiving compensation for their labor. At Livingston, Polk Co [County] Genl Strong and myself had to take all necessary precaution to prepare for an attack, but which they did not risk, though they showed that they tried to gather force to attack us. The sentiment among the people is one of disloyalty, and they threaten union men with death as soon as the United States troops are removed. There also seems to be a rumor with them that this country will be involved in a foreign war, and if so that they will assist the enemies of the United States no matter who they may be. I have the honor to be Very respectfully Your obedient servant,

J. C. De Gress

SOURCE: Bvt. Lt. Col. J. C. De Gress to Brig Genl Gregory, 30 Nov. 1865, Unregistered Letters Received, series 3621, TX Assistant Commissioner, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives.
<https://freedmen.umd.edu/De%20Gress.html>

Document 2

Report, William E. Strong to Major General O. O. Howard, 1 Jan. 1866

BACKGROUND: Inspector General for the Freedmen's Bureau in Texas, William E. Strong, traveled with Colonel De Gress through Texas. The pair traveled as far as Huntsville with E.M. Gregory, the Assistant Commissioner for the Freedmen's Bureau in Texas, and then headed into deep East Texas. Strong spent a little more than a month traveling along the Trinity River and visiting plantations between the Trinity and Neches Rivers. He also traveled extensively along the coast, from Galveston to the mouth of the Rio Grande, documenting, what he described as some of the worst conditions in the state. When he returned to Washington D.C., he submitted this report to General O.O. Howard.

No. 20.

WAR DEPARTMENT, BUREAU OF REFUGEES,
FREEDMEN, AND ABANDONED LANDS,
Washington, D.C., January 1, 1866.

GENERAL: In accordance with instructions received from you early in October last, as contained in Special Orders No. 84, dated at these headquarters, I have the honor to respectfully submit for your information the following report of my action and observation in the State of Texas:

I passed little more than a month in the State, and during that time used every endeavor to ascertain the true condition of the freedmen; what they were doing to support themselves, and what the citizens of Texas, their former masters, were doing for them, under the new orders of things.

As it was impossible for me to visit every portion of the State without remaining several months, and as the time allowed for my inspection was limited, I decided, after consultation with various officers on duty at Galveston and Houston, to travel in the eastern portion of the State, on the Trinity river, and between the Trinity and Neches rivers. This section of country is acknowledged by all officers and citizens with whom I conversed, to be the very worst portion of the State, and it was thought that more good could be done on this route than any other. I also visited the extreme western portion of the State, and several points along the coast between Galveston and the mouth of the Rio Grande.

I travelled with an escort of cavalry furnished by Major General Mower, commanding at Houston, and was accompanied as far as Huntsville by Brigadier General E. M. Gregory, assistant commissioner of this bureau for the State of Texas, and Colonel De Grass, provost marshal general of the district commanded by General Mower, and who, in addition to his military duties, has charge of the freedmen, reporting direct to General Gregory.

At Huntsville General Gregory and myself separated, he swinging to the left and heading toward Mellican, the terminus of the railroad, and I, accompanied by Colonel De Grass, with a portion of the escort, striking out in a due easterly course, crossing the Trinity river at Ryan's ferry. General Gregory and I separated, not on account of any disagreement or misunderstanding, as was reported in New Orleans by a Texas delegation, and telegraphed over the country, but simply for the reason that we believed more good could be accomplished by dividing the column.

SOURCE: William E. Strong to Major General O. O. Howard, 1 Jan. 1866, in U.S. Congress, Senate, "Message from the President of the United States, Communicating, in Compliance with a Resolution of the Senate of the 27th of February Last, a Communication from the Secretary of War, Together with the Reports of the Assistant Commissioners of the Freedmen's Bureau Made since December 1, 1865," Senate Executive Documents, 39th Cong., 1st sess., No. 27, serial 1238, pp. 81–86. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

At the little villages along our line of march the freedmen were collected together from the surrounding country, and as many of the planters as could be induced to attend, and addressed by General Gregory and myself. We explained to them in as simple and clear a manner as possible their rights, privileges, and responsibilities, and what the government and country expected of them as freedmen. We told them that they were free, and that they could never be slaves again; that they were free to go and come whenever they pleased, and to work for whoever they thought proper, and to control and use their own wages, and that they had the same right to purchase and own land, horses, mules, and farming implements that any white person had; and we advised them that when they had accumulated money enough to buy a piece of land, to invest it in that way. We also advised them to remain at their old homes and hire to their former masters, if they had been kindly treated and could obtain fair compensation for their labor; if not, to look about and make contracts with persons in whom they had confidence, and who would treat them fairly and pay them liberally for their work. We urged upon them the necessity of making contracts for the year 1866, and when once made, that they must observe, and fulfill them religiously; and that if any of them broke a contract, through no fault of the employer, they would forfeit their wages or be compelled to carry out their portion of the agreement.

We also disabused their minds of the report that had been circulated very freely among them by corrupt and evil-designing persons, as to a general distribution of the property, and impressed upon their minds the fact that there was to be no division of land, horses, mules, and farming utensils, on New Year's Day; that the lands were owned by the citizens of Texas, and not by the government; that the United States had nothing whatever to give them; that they had been made free by the action of the government, and that in return for this they must show by their industry and perseverance that they were worthy of freedom.

General Gregory is an earnest and very able speaker, and these meetings, which were usually held at night, and conducted by him, in conjunction with religious exercises, I am well satisfied made a lasting impression upon the freedmen, and resulted in much good.

It is not my wish or intention to pass judgment upon the entire State of Texas by what I saw on my inspection tour. I, of course, travelled over but a small portion of the State, and, as I have heretofore remarked, in what is known as the very worst section. In the large cities, such as Galveston, Houston, San Antonio, and Austin, there are many most excellent men—men who are anxious and willing to abide by the laws of the country, and who would use all their influence and energy to promote peace and harmony among the freedmen and whites. I found this to be true in several of the larger cities which I visited; it was particularly the case in Houston. I met as fine gentlemen as I have ever seen, and was treated by them during my visit in the city with the greatest kindness and courtesy. That a majority of these gentlemen were sincere in their expressions, I am thoroughly convinced; that all of them were, I do not believe. All of the cities above referred to are occupied by United States troops, and held under strict military discipline, and the citizens dare not express themselves in an unfriendly manner toward the United States soldiers and the government, even though they felt inclined to do so. In the interior of the State, one or two hundred miles from the prominent cities, away from the influence of the federal troops and federal bayonets, at points where our army had never penetrated, and where the citizens have but little fear of arrest punishment for crimes committed, I assure you there is a fearful state of things. The freedmen are in a worse condition than they ever were as slaves. When they were held in bondage they were, as

SOURCE: William E. Strong to Major General O. O. Howard, 1 Jan. 1866, in U.S. Congress, Senate, "Message from the President of the United States, Communicating, in Compliance with a Resolution of the Senate of the 27th of February Last, a Communication from the Secretary of War, Together with the Reports of the Assistant Commissioners of the Freedmen's Bureau Made since December 1, 1865," Senate Executive Documents, 39th Cong., 1st sess., No. 27, serial 1238, pp. 81–86. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

a rule, treated well; cases of extreme cruelty were very rare; it was for the interest of the master to take care of them, and not to ill treat them. Now it is quite different; they have no interest in them, and seem to take every opportunity to vent their rage and hatred upon the blacks. They are frequently beaten unmercifully, and shot down like wild beasts, without any provocation, followed with hounds, and maltreated in every possible way. It is the same old story of cruelty, only there is more of it in Texas than any other southern State that I have visited. I could cite many cases of cruelty that came under my own observation if it were necessary to do so. The planters generally seemed discouraged, and insisted that the system of free labor would never answer; that the negroes were idle and worthless, and showed no disposition to work, and were wandering about the country utterly demoralized, and were plundering and stealing indiscriminately from the citizens.

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

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

Two-thirds of the freedmen in the section of country which I traveled over have never received one cent of wages since they were declared free. A few of them were promised something at the end of the year, but instances of prompt payment of wages are very rare. Not one in ten would have received any compensation for the labor performed during the year 1865, had it not been for the rigorous measures resorted to by General De Grass, provost marshal general of the district of Houston, who sends into the interior frequently two hundred miles and arrests the parties who have been guilty of cruelty to the freed people, and where they have violated their contracts with them, compels them to make fair and equitable settlements. Colonel De Grass has a small command of cavalry under his control, and he keeps it in motion constantly through the country, searching for parties who have murdered or maltreated the freedmen. I cannot speak too highly of the course pursued by the colonel. He displays the same earnestness of purpose and fearlessness in the discharge of his duty that he did in the old army of the Tennessee, and although his life has been threatened by the chivalric citizens of the country, yet he is not deterred by their threats from discharging his duty as he understands it. He is a true friend of the black people, and will not see them ill used. I know that some of the lessons which he has taught the citizens in the vicinity of Houston will not soon be forgotten.

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

The report circulated so extensively among the freedmen with regard to the division of the property on or about the holidays, and which was believed by many of them, was taught them by the citizens during the war.

SOURCE: William E. Strong to Major General O. O. Howard, 1 Jan. 1866, in U.S. Congress, Senate, "Message from the President of the United States, Communicating, in Compliance with a Resolution of the Senate of the 27th of February Last, a Communication from the Secretary of War, Together with the Reports of the Assistant Commissioners of the Freedmen's Bureau Made since December 1, 1865," Senate Executive Documents, 39th Cong., 1st sess., No. 27, serial 1238, pp. 81–86. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

Public speakers in different portions of the state declared and insisted the only object of the Yankees had in continuing the war was to free the negroes, and that if the southern people were beaten, all the lands and property would be taken from them and given to the blacks, and that the poor whites and rich people alike would be enslaved. It is not strange that the freedmen hearing this matter talked of publicly for four years by men of influence and standing should finally believe there was some truth in it. Nearly all the freedmen I met preferred to wait till after New Year's before making contracts for the year 1866.

In the vicinity of Mount Jordan and Jasper, on the Neches river and San Augustine, and in all that section of country situated and being between the Neches and Sabine rivers, and as far north as Henderson, I was credibly informed, and firmly believe, that the freedmen are still being held in a state of slavery, and are being treated with the most intense cruelty by their former masters; and I am well satisfied that the freedmen will be kept in ignorance of their true status, and will be forced to work without wages in these isolated districts until troops can be sent to occupy, for a time at least, this portion of the State, and till a few wholesome lessons have been administered the natives. The campaign of an army through the eastern part of the State, such as was made by General Sherman, in South Carolina, would improve the temper and generosity of the people.

The most intense hatred is shown by many of the citizens of the country towards northern men, officers, and soldiers of our army, and the United States government. Very many of the confederate officers and soldiers wear their old uniforms, with buttons and Insignia of rank, and nearly every man we met in travelling was armed with a knife, seven-shooter, and double barreled shotgun. At hotels and various places where we halted for the night, these gallant cavaliers (who claim that they whipped the Yankees in the last battle of the war, and that they are able to do it every day in the year) would collect in groups, and talk in a tone particularly intended for our ears of the deeds they had performed, and the number of Yankees they had slain, and that if an opportunity ever occurred they were ready and anxious to fight against the United States.

After leaving Huntsville our escort was reduced to twelve men, and a disposition was shown upon one occasion to attack the party, but the Spencer carbines carried by the men rather deterred them from so doing, and we were not molested. We were treated, however, on the road, and in the villages at which we stopped, with the most marked discourtesy and contempt.

I cannot account for the bitter feelings which seems to exist against the soldiers belonging to our army and the government, unless it may be for the reason that they know less about the war, and have seen less of our troops than any other people, and therefore cannot appreciate the power and strength of the government. In other southern States I have been treated with greater courtesy and kindness by officers and soldiers of the confederate army than by any other class of people.

In my judgment there is but little trouble in getting the freedmen to work if the citizens will only treat them with some degree of fairness and honesty, and pay them reasonable wages when they work well, and fulfill their own promises and agreements. They have as yet offered no inducements for the freed people to labor. I am not surprised that they have refused to make contracts for the present year; they have universally been treated with bad faith, and few have received any compensation for work performed up to the close of the year 1865. I cannot blame them for hesitating about making contracts which were to bind them for a year, and with no guarantee that they were to be treated better than when they were slaves. They had received thus far for their work, as a class, curses, blows, poor clothing, and poorer food. There are exceptions. I learned the names

SOURCE: William E. Strong to Major General O. O. Howard, 1 Jan. 1866, in U.S. Congress, Senate, "Message from the President of the United States, Communicating, in Compliance with a Resolution of the Senate of the 27th of February Last, a Communication from the Secretary of War, Together with the Reports of the Assistant Commissioners of the Freedmen's Bureau Made since December 1, 1865," Senate Executive Documents, 39th Cong., 1st sess., No. 27, serial 1238, pp. 81–86. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

of a few planters who had done well by the freedmen, and had paid ten dollars per month in specie for first-class field labor, and the other hands, in proportion. But seven out of every ten who have paid wages to the freed people, in the vicinity of Houston, have done so over the point of the bayonet in the office of the provost marshal general, rather than go to jail.

General Gregory assured them that their employers would be forced to pay them every farthing that was justly due, and I have learned that during the month of December many contracts were entered into for the year 1866.

The crop raised and gathered in Texas during the past year is immense, and provisions ought to be very abundant. There is certainly sufficient to feed all classes, white and black, rich and poor, if it could be properly distributed among them.

The great difficulty is, the corn and wheat are all in the hands of the wealthy planters, and the poor white people who do not own land cannot obtain it for love or money. The planters hold on to their corn, expecting there will be a scarcity in the spring, and that it will then command exorbitant prices, and, further, they fear to sell it to their poor neighbors, thinking if they get a few bushels ahead they might possibly hire some of the freedmen. Frequently the poor white people came to us and entreated us to interfere and compel the rich people to sell them corn enough so that their wives and children would not starve. I heard several of them say that they had been in the confederate service through the war, and now that they had lived to get home to the wealthy men, who had been instrumental in sending them to the field, would not assist them in distress, nor could they purchase corn for one dollar per bushel in specie to keep their families from perishing.

If the freedmen fail in attaining employment the present year, and if the planters refused to sell their corn to poor white people at reasonable rates, there will necessarily be great suffering in many portions of the State.

According to the best statistics I have been able to obtain, there were in the State at the beginning of the war about two hundred and seventy-five thousand (275,000) slaves. During the war and prior to its close about one hundred and twenty-five thousand (125,000) were sent there from other southern States, to keep them out of the way of the United States forces and for safe-keeping, making a total of about four hundred thousand (400,000) at the time of the surrender of the confederate armies. The great mass of freedmen were owned and still remain on the rich plantations situated on the Sabine, Neches, Trinity, Brazos, and Colorado rivers, and within a distance of three hundred and fifty (350) and four hundred (400) miles of the Gulf coast. There are few freedmen north of Waco, on the Brazos river, or north of Austin, on the Colorado. A few are to be found as high up as Gonzales and Seguin, on the Guadalupe, but none west of that river.

Western and northwestern Texas is a wild, uncultivated, barren region, and is occupied and held, and has been for years, by Indians. The Comanches committed depredations in November within fifteen or twenty miles of Waco.

Of the one hundred and twenty-five thousand (125,000) freedmen sent to Texas for safekeeping during the war, from Louisiana, Mississippi, and other States, nearly all of them are anxious to return to their old homes, or, at all events, to get out of Texas. Thousands of this number have already returned, and there is a constant stream pouring through the interior of the State in an easterly direction, heading towards Louisiana. The route usually taken by these people is the old San Antonio road leading from Bastor [Bastrop?] on the Colorado, through Caldwell, Madison, Crockett, and from thence running a little north of east to Millan [Milam?], on the Sabine river near the Louisiana line.

SOURCE: William E. Strong to Major General O. O. Howard, 1 Jan. 1866, in U.S. Congress, Senate, "Message from the President of the United States, Communicating, in Compliance with a Resolution of the Senate of the 27th of February Last, a Communication from the Secretary of War, Together with the Reports of the Assistant Commissioners of the Freedmen's Bureau Made since December 1, 1865," Senate Executive Documents, 39th Cong., 1st sess., No. 27, serial 1238, pp. 81–86. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

This road is famous as being the first and best route across Texas, and all the refugees get on to this road as soon as possible.

I found General Gregory stationed at Galveston, and am satisfied that he is doing everything in his power to regulate the system of labor throughout the State. He has labored with the most untiring industry since he has been in Texas to settle difficulties between whites and freedmen satisfactorily and justly, and has passed a great deal of his time in traveling through the country correcting abuses, and explaining to the freedmen their true status, and what was expected of them by the government. He understands your views and policy well, and will carry out your wishes to the best of his ability and against all opposition.

I do not think it possible for a man to hold General Gregory's position in Texas—do justice to the freedmen and be popular with the people. The general has been peculiarly unfortunate in not being able to obtain officers to assist him in the work period he is almost entirely alone, having only six or seven subordinates, who are all stationed at the larger cities.

In order to correct abuses and regulate the labor system thoroughly throughout the county throughout the country General Gregory should have fifty (50) good officers to assist; and if these could be placed on duty at the principal villages in the interior, for three hundred and fifty (350) miles north of the coast, and a small force of troops sent with each assistant to enforce law and order, it would be but a short time before a decided improvement would be observed.

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

I have the honor, general, to remain, very respectfully, your obedient servant,

WILLIAM E. STRONG,¹
Inspector General, Bureau of Refugees
Freedmen, and Abandoned Lands

Major General O.O. Howard,
Commissioner of Bureau of Refugees, Freedmen, &c.

¹ William E. Strong, the officer traveling with De Gress through Texas, was inspector general of the Freedmen's Bureau. He wrote this report on his return to Washington, D.C., following a month-long investigation of conditions in Texas.

Document 3

Labor Contract between Mrs. J.M. Winston and Ben Lee

BACKGROUND: Following the Civil War, southern state legislatures passed laws requiring that newly freed people enter into labor contracts. These labor contracts were one way to tether freed people to the land, forcing them to continue working in the fields to produce cotton and other crops, often for their former enslavers, for little to no profit. The Freedmen's Bureau supported the use of labor contracts and even circulated templates in the attempt to regulate these agreements. Despite this, these contracts and the laws that made them mandatory for freedmen, benefited the landowner at the expense of the laborers. The terms were often not negotiable and because the vast majority of freedmen were illiterate, they were forced to rely upon the people writing the contracts to accurately communicate the contract's terms.

State of Texas Brazoria Co.

This Contract entered into between Mrs. J.M. Winston of the first part & Ben Lee Freedman of the second part witnesseth 14th that Mrs. J.M. Winston agrees to assign to the above mentioned freedman, twenty two acres of land & a fair proportion of the mules, corn, plows, hoes & axes on the plantation, to cultivate the same & she agrees to give him one half he makes on the land assigned to him.

Ben Lee on his part agrees to cultivate the land thoroughly furnish the provisions necessary for himself and those in his employ & to pay all expenses whatever that may be necessary to the thorough cultivation of the land.

Furthermore he agrees to remain & work on the place until the 25th day of Dec. 1867 his crop being responsible for the faithful compliance with his contract.

Witnesses
E.H. Moseley
L. Winston

Judith M. Winston
for J.M. Winston

Ben Lee
Mark

State of Texas Brazoria Co.

This contract entered into between Mrs. J.M. Winston of the first part and Ben Lee Freedman of the second part witnessed 1st that Mrs. J.W. Winston agrees to assign to the above mentioned freedman twenty two acres of land & a fair proportion of the mules, corn, plows, hoes, & axes on the plantation to cultivate the same. 2ndly, she agrees to give him one half he makes on the land assigned to him.

Ben Lee on his part agrees to cultivate the land thoroughly furnish the provisions necessary for himself and those in his employ & to pay all expenses whatever that may be necessary to the thorough cultivation of the land.

Furthermore he agrees to remain & work on the place until the 25th day of Dec. 1867 his crop being responsible for the faithful compliance with his contract.

Witnesses
E.H. Moseley
L. Winston

Judith M. Winston
S.P. Winston
Ben Lee X his mark

Document 4

Letter, Brigadier General E. M. Gregory to Major General O.O. Howard, January 31, 1866

Reports of Assistant Commissioners of the Freedmen's Bureau Submitted to the Senate of the United States on March 1, 1866

BACKGROUND: Brigadier General Edgar M. Gregory, the Assistant Commissioner of the Freedmen's Bureau in Texas, submitted this report to Major General O.O. Howard to document the status of the Freedmen's Bureau's work in Texas. Gregory prioritized improving the existing labor contract system and settling labor disputes between newly freed people and their former enslavers. He oversaw twenty-one local agents and sent them out to assess conditions for freed people. Major General O.O. Howard served as the first, and only, Commissioner of the Freedmen's Bureau.

No. 19

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,
STATE OF TEXAS, Galveston, January 31, 1866.

GENERAL: I have the honor to report that, since the 10th of December last, I have visited the Lower Brazos, Oyster Creek, Old Caney, and Colorado districts. These lands comprise the most productive and influential cotton and sugar-growing sections in the State. They are bottom lands, of exhaustless fertility, and were formerly crowded with slaves.

I found that the planters, under the stimulus of high prices, were desirous of tilling their fields, and anxious to obtain the labor.

The blacks were willing to work, asking only that the fulfillment of the promises made them by the planters should be enforced by the government.

Under these conditions, contracts were freely made with the freedmen, on liberal terms, and approved by the bureau. There is a great variety of contracts between them and their employers, and much vagueness in terms.

When money wages are paid the rates range from eight to fifteen dollars a month in specie, besides, for the most part, including quarters, food, fuel, medical attendance, and clothing.

In many instances, instead of wages, a portion of the crop, ranging from one-quarter to one-half, according to the special conditions of each case, is pledged to the laborers and the instances are not unfrequent where, in addition to this high percentage of the expected crop, the planter boards and lodges his workmen gratis.

It is believed that the history of modern times cannot furnish a parallel to the high inducements held out in this State to labor.

As a result, in the more orderly portion of the State, theft, idleness, and vagrancy have almost become things of the past. At least nine-tenths of the former slave population of Texas are under contract for a year and working soberly and steadily in the fields. Of the remaining fraction who still

SOURCE: Message from the President of the United States, communicating, in compliance with a resolution of the Senate of the 27th of February last, a communication from the Secretary of War, together with the reports of the assistant commissioners of the Freedmen's Bureau made since December 1, 1865. House and Senate Documents, Reports of Assistant Commissioners, No. 19, (Washington D.C.: Government Printing Office, 1866), 77-80. <http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

hold aloof, from a deeply grounded want of confidence in the planter's promises, the number is daily dwindling to a handful.

In the whole State, and out of more than four hundred thousand freedmen, only about sixty-seven are now receiving government support.

I am pleased to note in this connection, that the power and influence of that class who deny to the black man his rights and liberties, and seek to obtain his services without compensation, is small and growing less. The immense profits realized at present prices, from the production of cotton and sugar, have caused a competition for labor which, in many localities, has become a scramble; and as the amount and quality of work to be obtained from the negro depend very much on the kind of treatment he receives, the self-interest of the landowner combines with the higher and humaner motives that sway the general government, to induce fair and just conduct towards him.

Thus the distrust manifested by the negro towards his former owner, and the antipathy of the planter towards the rise and progress of his recent chattel, are lessening, and the concord between the labor and the capital of the State growing more complete.

To the attainment of this end all my efforts are directed.

From the reports of agents and landowners, and the statements of the Texas press, it is evident that, during the month of January just closed, there has been more agricultural labor performed, and more ample preparation made for a coming harvest, than ever before during the same time in the State.

This, be it remembered, happened in the first year of free labor here. The labor of the State is, indeed, so inadequate to the demand, that from twenty to fifty thousand additional plantation hands could be at once absorbed. All those who represented in other departments of the South to be unemployed and starving, could at once find work, bread, and wages on the rich bottoms and fair uplands of Texas.

I can also report that instances of shooting, cruel abuse, and violent assaults upon freedmen are perceptibly on the decline, though still not unfrequent, especially in the less accessible portions of the State; for the wrongs increase just in proportion to their distance from the United States authorities.

No instance of this kind, coming to the attention of this bureau, is permitted to pass without trial and punishment. These cases almost defy any attempt to record them, and are reckoned by hundreds, ranging from downright murder, savage beatings, merciless whippings, hunting men with trained bloodhounds, through all the lesser degrees of cruelty and crime.

A great moral improvement has been noted in this regard of late, for one legal sentence inflexibly enforced has a moral effect, felt even in distant neighborhoods.

When the people of Texas become familiarized with the idea of law as an irresistible power to which all must bow, and which throws just the same amount of protection over the meanest black as the proudest white, the first great step will have been taken in the direction of a permanent peace. Great delays and difficulties have been met in obtaining officers from the army, and in keeping them when detailed, owing to the muster out of so many regiments.

For this great State, with the territory as large as New York and all New England, my entire corps of assistance numbers but twenty-five, of whom ten are civilians. Consequently much the larger portion of the State is without an officer or representative of the bureau.

With regard to the sanitary conditions of the freedmen, there are great deficiencies. For a full statement of the case, I respectfully refer you to the annexed report of Dr. Mintzer, surgeon-in-chief of the bureau.

Our schools are in a healthy and prosperous condition. Without funds, or a single dollar of pecuniary aid from any source; there are now in operation, sustained by voluntary contributions of the colored people, twenty-six day and evening schools, with an attendance of over sixteen hundred pupils.

The particulars are presented in the report, herewith annexed, of E. M. Wheelock, superintendent of schools for the State.

In that part of your congressional report where Texas matters are presented, this bureau is spoken of as "depending on a small tax upon the approval of contracts for funds to defray expenses."

There this is an error. I have never ordered or sanctioned the levying of any such tax, and not a single dollar has ever been paid into the treasury of the bureau from this source.

The tax has been levied; considerable sums gathered; certain parties benefited, and much consequent trouble and opprobrium fallen on the bureau, but the whole affair was conducted by persons acting without warrant or authority from myself.

In my instructions to agents, and in published orders, I have directly forbidden my agents to receive any monies or charge any fees for the approval of contracts; I have repeatedly and publicly disavowed any connection with this movement, and have ordered the arrest of persons so engaged whenever found.

I may state that no other occurrence has caused me so much mortification and trouble.

The expenses of the bureau have been paid, thus far, from fines upon those who have wronged the freedmen in his person and in his rights.

I append herewith a statement of all monies, from whatever source, received to this date into the treasury of the Bureau during my administration in Texas.

Very respectfully,

E. M. Gregory,
Bv't Brig. Gen. Assistant Commissioner

Major General O.O. Howard,
Commissioner, &c., Washington, D.C.

Document 5

Report, S.J.W. Mintzer to Brigadier General E. M. Gregory, January 31, 1866

Reports of Assistant Commissioners of the Freedmen's Bureau Submitted to the Senate of the United States on March 1, 1866

BACKGROUND: After visiting over 100 plantations, the Freedmen's Bureau agent I. J. W. Mintzer wrote to Brigadier General Edgar M. Gregory, the Assistant Commissioner of the Freedmen's Bureau in Texas, apprising him of the conditions of the freedmen. He observed and documented their living and working conditions. Much of Mintzer's report focuses on the significant demand for labor in the areas he visited, speaking directly to the ongoing conflict between freed men and their former enslavers over who controlled their labor.

Houston, Texas, January 31, 1866.

GENERAL: I have the honor to report that, in obedience to your instructions to inspect the general condition of freedmen on the Lower Brazos and Colorado rivers, comprising the cotton district you visited before Christmas, I respectfully report, that on leaving you on the 10th instant in Washington County, I proceeded to Oyster Creek, Brazos and Colorado, visiting upwards of one hundred plantations.

The general health of the freedmen is good, considering the miasmatic influences of these rich river bottom lands, and the quality of water. As a general rule, the north and west banks of the rivers are most subject to miasmatic influences; the exceptions are, where the banks of the rivers are a protection against the prevailing south wind. There is often a marked difference, within a short distance in length some planters reporting no deaths and but little sickness during the year, while others report as high as fifteen and twenty percent of miasmatic diseases and a proportionable number of deaths. Where bayou and river water is used, the sickness is greater than where the cistern water is made use of. This is considered the most healthy season in these bottoms.

I find that the quarters of the freedmen are indifferent, and the best of them will not compare with the average homes of our northern laborers; the great majority are built of logs, without windows, seldom floored, and with poor roofs, forming a one-room cabin from 16 to 22 feet square, and this frequently overcrowded. Whitewashing and scrubbing are a novelty almost unknown, and the bedding, and clothing very indifferent. To correct these evils, I have appealed so the planters' self-interest. To hold and secure free and reliable labor, they must offer at least the healthful comforts of life, and make the freedmen's home attractive. The more intelligent seem to appreciate and are willing to act on the suggestion, while a few say that "it was good enough for the n----- while he was worth \$1,500 to them, and ought to be good enough now, as he has no jingle."

The ration furnished by the planter for the freedman is one of pork and cornmeal, he receiving from 3½ to 4 pounds of the former per week. Extras are generally furnished by the freedman himself.

"The freedmen are working well," is nearly the universal report of the planters. A few say they are doing better work than they did while in slavery. Where the freedmen are not doing so well, there is some dissatisfaction arising from the non-fulfillment of some promise made by the employer.

There is a far greater demand for labor than can be supplied. In Wharton, Richmond, Columbia, Columbus, and other small towns, there is not an idle freedman to be found. The inducements to labor have swept all clean. At Houston the planters have agents or runners employed at from \$3 to \$20 per

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<http://blackfreedom.proquest.com/wp-content/uploads/2020/09/freedbureau13.pdf>

hand premium. Agents are being sent to other States to secure laborers, and to try to induce negroes to emigrate to this. Colored soldiers are being importuned to promise to hire as soon as they are mustered out of service. Others speak confidently of white labor being imported, but it is from their aversion to render justice to the black man, their former bondman, whom they believed had no rights beyond their sanction—doubted their accountability, or that they had a soul to save. Most of the planters believe that the negro is constitutionally adapted to the raising of southern products—sugar and cotton—and will surpass all competition, and that if Swiss laborers are imported, before five years they will work some of the plantations. But there is room enough for all.

There is more demand for laborers in Texas now than there was before the war. This is owing in part to small capitalists and planters renting large plantations and employing additional laborers. Men here who never owned a slave, now work from forty to fifty hands. These men readily contracted, about Christmas, with first class hands at the rate of from \$10 to \$12.00 per month, and demonstrated the success of free labor. The old line planters, who only a few weeks before had driven off their negroes endeavored to secure their services by offering greater inducements. They offered part of the crop—first, one-fourth, then one-third, and now one-half—rather than let their plantations remain idle. Their efforts to secure the “lazy n-----,” it was thought by many, would demoralize the freedmen under contract, and unsettle labor. But so far, fortunately, it has failed to do so. Freedmen who at first contracted at low rates, as a general thing, remained true to their obligations. Surprising as it may seem, the ignorant freedman has shown more principle than the selfish white man.

The largest and most intelligent planters whom I have conversed with say that if it had not been for your direct and earnest appeals, they would not have planted this year. They did not believe the free negroes would work or go into contract. The negro had strong prejudices and expected too much from freedom, and feared to contract lest he might thereby resign his liberties. They looked for and wanted the very explanation you rendered. The confidence which the freedmen reposed in you then, and retain now, is to their mutual advantage. Men who would have crucified you three months ago are the warmest friends of the bureau, and shout loudest in its praise. This is a great contrast from the groundless forebodings of a few weeks. The achievement is indeed a great victory.

Very respectfully, your obedient servant,

S.J.W. Mintzer,
Surgeon U.S.V., Surgeon-in-Chief,
Bureau of Ref., Freed’n, and Ab’d Lands, State of Texas.

Brig. Gen. E.M. Gregory,
Ass’t Commissioner, Bureau of Ref., Freed’n, &, Galveston, Texas.

Document 6

Texas Black Codes

BACKGROUND: After the Civil War, southern states belonging to the failed Confederacy enacted legislation intended to replace the now defunct Slave Codes. These new laws, called Black Codes, were designed to govern the lives of the formerly enslaved. While freed people could now enter into contracts, sue in court, and own land, the respective state legislatures crafted laws that reinstated many of the restrictions that defined enslavement. For example, under the Black Codes, Black people could not vote, hold office, or serve on juries. The Black Codes also established rules that defined labor relations between planters and the formerly enslaved. Below are some of the provisions included in the Texas Black Codes that the Texas legislature passed on August 26, 1866.

CHAPTER LXXX.

An Act regulating Contracts for Labor.

SECTION 1. Be it enacted by the Legislature of the State of Texas, That all persons desirous of engaging as laborers for a period of one year or less, may do so under the following regulations: All contracts for labor for a longer period than one month shall be made in writing, and in the presence of a Justice of the peace, County Judge, County Clerk, Notary Public, or two disinterested witnesses, in whose presence the contract shall be read to the laborers, and, when assented to, shall be signed in triplicate by both parties, and shall then be considered binding, for the time therein prescribed.

SEC. 2. Every laborer shall have full and perfect liberty to choose his or her employer, but when once chosen, they shall not be allowed to leave their place of employment, until the fulfillment of their contract, unless by consent of their employer, or on account of harsh treatment or breach of contract on the part of the employer, and if they do so leave without cause or permission, they shall forfeit all wages earned to the time of abandonment.

SEC. 5. All labor contracts shall be made with the heads of families; they shall embrace the labor of all the members of the family named therein, able to work, and shall be binding on all minors of said families.

SEC. 6. Wages due, under labor contracts, shall be a lien upon one-half of the crops, second only to liens for rent, and not more than one-half of the crops shall be removed from the plantation, until such wages are fully paid.

SEC. 7. All employers, willfully fully failing to comply with their contract, shall, upon conviction, be fined in amount double that due the laborer, recoverable before any court of competent jurisdiction, to be paid to the laborer, and any inhumanity, cruelty, or neglect of duty, on the part of the employer, shall be summarily punished by fines, within the discretion of the court, to be paid to the injured party; provided, that this shall not be so construed as a remission of any penalty, now inflicted by law, for like offences.

SEC. 8. In case of sickness of the laborer, wages for the time lost shall be deducted, and, when the sickness is feigned, for purposes of idleness and also, on refusal to work according to contract, double the amount of wages shall be deducted for the time lost and, also, when rations have been furnished, and should the refusal to work continue beyond three days, the offender shall be reported to a Justice of the Peace or Mayor of a

town or city and shall be forced to labor on roads, streets and other public works, without pay, until the offender consents to return to his labor.

SEC. 9. The labor of the employee shall be governed by the terms stipulated in the contract; he shall obey all proper orders of his employer or his agent, take proper care of his work-mules, horses, oxen, stock of all character and kind; also, all agricultural implements; and employers shall have the right to make a reasonable deduction from laborers' wages for injuries done to animals or agricultural implements committed to their care, or for bad or negligent work. Failing to obey reasonable orders, neglect of duty, leaving home without permission, impudence, swearing or indecent language to, or in the presence of the employer, his family or agent, or quarrelling and fighting with one another, shall be deemed disobedience. For any disobedience, a fine of one dollar shall be imposed on, and paid by the offender. For all lost time from work hours, without permission from the employer or his agent, unless in case of sickness, the laborer shall be fined twenty-five cents per hour. For all absence from home without permission, the laborer will be fined at the rate of two dollars per day; fines to be denounced at the time of the delinquency. Laborers will not be required to labor on the Sabbath, except to take necessary care of stock, and other property on the plantation or to do necessary cooking or household duties, unless by special contract for work of necessity. For all thefts of the laborer from the employer, of agricultural products, hogs, sheep, poultry, or any other property of the employer, or willful destruction of property, or injury the laborer shall pay the employer double the amount of the value of the property stolen, destroyed or injured, one-half to be paid to the employer, and the other half to be placed in the general fund, provided for in this section, No livestock shall be allowed to laborers without the permission of the employer. Laborers shall not receive visitors during work hours. All difficulties arising between the employer and laborers under this section, shall be settled, and all fines imposed by the former; if not satisfactory to the laborer, and appeal may be had to the nearest Justice of the Peace, and two free holders, citizens, one of said citizens to be selected by employer, and the other by the laborer; and all fines imposed, and collected under this section shall be deducted from wages due, and shall be placed in a common fund to be divided among the other laborers employed on the place at the time when their wages fall due, except as herein provided; and where there are no other laborers employed, the fines and penalties imposed shall be paid into the County Treasury, and constitute a fund for the relief of the indigent of the county.

SEC. 10. Laborers, in the various duties of the household, and in all the domestic duties of the family, shall, at all hours of the day or night, and on all days of the week, promptly answer all calls, and obey and execute all lawful orders and commands of the family, in whose service they are employed, unless otherwise stipulated in the contract ; and any failure or refusal by the laborer to obey, as herein provided, except in case of sickness, shall be deemed disobedience, within the meaning of this Act. And it is the duty of this class of laborers to be especially civil and polite to their employer, his family and guests, and they shall receive gentle and kind treatment. Employers, and their families, shall after ten o'clock at night, and on Sundays, make no calls on their laborers, nor enact any service of them which exigencies of the household or family do not make necessary or unavoidable.

SEC. 11. That for gross misconduct on the part of the laborer, such as disobedience, habitual laziness, frequent acts of violation of their contracts, or the laws of the State, they may be dismissed by their employer ; nevertheless the laborer shall have the right to an appeal to a Justice of the Peace, and two freeholders, citizens of the county, one of the freeholders to be selected by him or herself, and the other by his or her employer, and their decision shall be final.

Approved November 1st, 1866.

Document 7

Letter, William H. Sinclair to Brevet Lieutenant Colonel Ellis, 30 Nov. 1866

Texas Freedmen's Bureau Inspector to the Headquarters of the Texas Freedmen's Bureau Assistant Commissioner

BACKGROUND: Brigadier General Joseph B. Kiddoo became the head of the Freedmen's Bureau in Texas on April 2, 1866. He issued an order to inspector William H. Sinclair to "proceed without delay" to Victoria and Clinton "for the purpose of inspecting the condition of affairs pertaining to this Bureau at these points" and to submit a written report upon his return. Sinclair submitted this report to General Kiddoo detailing many of the issues concerning the problematic terms and conditions contained in the labor contracts. Several months later, on December 21, 1866, Kiddoo, issued a circular report deploring the difficulties caused by "vague and indefinite" terms contained in the labor contracts and urging greater specificity in contracts for the coming year. Kiddoo's circular letter contained almost all of Sinclair's suggested topics to be addressed in these contracts. A circular letter is a correspondence intended to be distributed widely throughout an organization or group to disseminate information in a consistent manner.

Galveston Tex. Nov. 30th, 1866

I have the honor to report that in compliance with paragraph 1 Special Orders No. 139 from these Hd. Qurs. dated Nov. 19th, 1866 I proceeded to inspect the posts of Clinton and Victoria.

. . . .

Contracts for the new year are beginng [beginning] to come in to the agents for approval but they have so far declined to take any action awating [awaiting] instructions from General Kiddoo as to form and requirements.² Such instructions should be issued as soon as practicable as within the next 30 days all contracts will be made for the ensuing year. The great fault this year in the making of contracts has been the indefinite manner in which they are gotten up—too many things which should be in are left out—said to be "understood" but this gives rise to trouble as Employer and laberer [sic] understand them differently and trouble always will arise where this is the case.

Agents cannot be too careful in having the contracts fully understood by the freedpeople and its conditions plainly and fully stated before being signed—

The following are some of the points which require to be inserted in the contract and I suggest them to aid you in getting up instructions in regard to contracts. Should the matter be entered into as much in detail as this would require.

1st The contract should plainly state whether the freedpeople are to work Saturdays or not and if they are whether all or half the day.

2nd When the contract terminates—whether at the end of the year or when the crop is gathered. Sometimes the planter wants them to leave when the crop is in and they think they should remain until the end of the year and vice versa—This has been the source of a great deal of trouble this fall.

3rd Corn should be divided as soon as gathered and cribbed separately. Planters feed from the whole crop until the division and then are not willing to allow for this in the settlement.

4th Contracts should plainly specify whether the fences are to be kept in repair and what fences and if rails will be required the probable number to be split.

5th Whether medical attendance is to be furnished or not and what kind. Whether a physician or medicines kept in the house and the planter treat the sick as was common in times of slavery.

6th Whether they are to have an overseer or not and by whom he is to be selected and also whether he shall be black or white.

7th Whether when the freedpeople are working for a portion of the crop or rent the land and the stock and tools are furnished by the owner of the land if animals die or tools are broken who is to stand the loss—the owner or the freedpeople? Such cases arise in which the planter alleges it is through carelessness or other unnecessary cause and the other says it was not. “Except ordinary wear and tear” is too indefinite.

8th In regard to rations and quarters and the quantity and quality of each.

9th Whether time lost by laziness or other unnecessary causes is to be deducted from time of service or not. Many of the freedpeople idle away their time which results very disastrously sometimes to the planter. Something should be done to induce them to work faithfully and perhaps the knowledge that they got no pay would help the matter somewhat.

10th The number of hours for labor should be fully prescribed.

11th Whether women and children are to work or not and if not at whose expense they are to be fed and clothed.

12th How wages are to be paid and whether in specie or currency. I do not think it will be easy to contract with the freedpeople for anything but specie—Also what proportion retained if any.

13th When working for a portion of the crop—what the proportion is—by whom it is to be divided—when it is to be divided and who shall dispose of it. Shall the whole crop be sold and the proceeds divided or not—who shall furnish rope and bagging. Who do the ginning.

A great deal of trouble arises in regard to the sale of the crop. I am satisfied many freedpeople authorize their employer to sell their share and then complain of him for trying to swindle them and get the cotton stopped—many times when the planter has done no intentional wrong and has no idea of swindling them. By far the best way is to give them their share of the crop and let them dispose of it as they choose. It is the easiest way for the planter and best for the freedpeople.

14th Where clothing is to be furnished the Kind and quality.

I am Very Resp. Your Obt Servt

W^m H Sinclair

Document 8

“The Great Labor Question from a Southern Point of View,” Harper’s Weekly, July 29, 1865.



Southern man seated near his family on the porch says, “My boy—we’ve toiled and taken care of you long enough—now you’ve got to work!”

Document 9

Testimony of Ben Lee (free man of color)

BACKGROUND: Sometime after the expiration of Ben Lee's labor contract on December 25, 1867, Ben Lee, Manuel Hunt, Edward Bess, Gus Bess, and Payton Munroe brought a claim to the Freedmen's Bureau to settle a dispute with their employer. Stephen P. Winston, acting on behalf of his mother who employed the five freedmen, accused the men of violating the terms of their labor contracts [see Document 3]. The following is Ben Lee's statement recorded as part of the Freedmen's Bureau's investigation.

Ben Lee (fmc) [free man of color] the contract was acknowledged by him, but he says Mr. Winston states he never came away in the spring that he wasn't coming back any more.

The freedmen agreed among themselves that if the worms ate the cotton that they could go off and work and yet have a home on the place until Christmas.

I came up in the evening and Mr. Winston asked me if I was going to work. I told him I had hauled and housed my corn and I didn't think there was anything else I ought to do. That the corn was all housed and I didn't think the contract was to do anything but cultivate the ground we had and he said when he was reading the contract that he was making it for his mother and he was going away and not coming back and there was nothing else for us to do but cultivate the ground.

He said if I wasn't going to work I must leave. After that he told me not to come on his place again. And I left.

2.P Did he say when he was going away (in the spring) after making the contract that all you had to do was to cultivate the land? No but all the orders he did leave were to work the land thoroughly and fix the fence.

Did you fix the fence? Yes

Did you cultivate the land? Not all about 2/3ds thoroughly.

Did he say he was never coming back? Yes

2. Def Didn't you leave your land and go to work some where else when your land needed work? No not until turned my land over to Gus [marked out someone else]

Did you work here year before last? Yes

Was there a dispute about the contract then? Yes

Did you understand in this contract that you were to work until the 25th of Dec? No

Was there an understanding between you all that you would not work until Christmas? Not that I heard.

Was there an understanding that you would pay me out of the crop for the horse you bought of me? Yes.

2.P. How much was the horse valued at? Fifty dollars (50).

2 Def Did you divide the corn equally? Yes. I put it in both cribs.

Ben Lee (fmc) the contract was acknowledged by him, but he says Mr. Winston states he never came away in the spring that he wasn't coming back any more.

The freedmen agreed among themselves that if the worms ate the cotton that they could go off and work and yet have a home on the place until Christmas.

I came up in the evening and Mr. Winston asked me if I was going to work. I told him I had hauled and housed my corn and I didn't think there was anything else I ought to do. That the corn was all housed and I didn't think the contract was to do anything but cultivate the ground we had and he said when he was reading the contract that he was making it for his mother and he was going away and not coming back and there was nothing else for us to do but cultivate the ground.

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2.P. How much was the horse valued at? Fifty dollars (50).

2 Def Did you divide the corn equally? Yes. I put it in both cribs.

Manuel Hunt recalled that he paid 50 dollars on two cows that he agreed to buy for and gave a him on the crop for the balance. The cows are in possession of Winston I left 3 bush peas & chick. Callow & saw hand & others before.

Document 10

“Glimpses at the Freedmen’s Bureau—Issuing Rations to the Old and Sick,” 1866



Handout #1: The Freedmen's Bureau in Brazoria County, 1865-1867

DIRECTIONS: Read the short passage and answer the following comprehension questions.

1. Identify five things the Freedmen's Bureau was designed to help formerly enslaved people with after emancipation.

1) _____

2) _____

3) _____

4) _____

5) _____

2. What challenges did the Freedmen's Bureau face when trying to help newly emancipated people?

3. How might some landowners exploit the people who worked their land?

4. According to the contracts that Manual Hunt, Gus Bess, Edward Bess, Payton Munroe, and Ben Lee signed with Stephen P. Winston, what materials did Winston provide the men who farmed his land?

5. How much did each man keep at the end of the year?

6. What was the reason for the men's claim against Stephen P. Winston? (Why did they sue him?)

7. What was the result of their suit?

8. How did the Texas Black Codes limit life and work for newly freed people?

9. Which part of the Texas Black Codes do you think limited freed people's freedom the most? Why?

10. Do you think these five freedmen would have been able to stand up for their rights without the Freedmen's Bureau there to help? Why or why not?

Handout #2: Analyzing Primary Sources: The Freedmen's Bureau in Brazoria County, 1865-1867

Prompt: What was life and work like for formerly enslaved people after emancipation in Texas?

Identify the Document Name and Number	Author: Who is this person? Write 1 sentence describing the author.	Audience: Who is going to read the document?	Purpose: Why did the author create this document?	Evidence: What does this document show about life and work for freed people in Texas after emancipation?
				<ul style="list-style-type: none">•••
				<ul style="list-style-type: none">•••
				<ul style="list-style-type: none">•••
				<ul style="list-style-type: none">•••

Claim: Using the evidence assembled, make a claim that answers the prompt.