# BLACK RECONSTRUCTION IN AMERICA

*by the same author*

DARKWATER:
VOICES FROM WITHIN THE VEIL

DARK PRINCESS

# BLACK RECONSTRUCTION

AN ESSAY TOWARD A HISTORY OF THE PART
WHICH BLACK FOLK PLAYED IN THE ATTEMPT
TO RECONSTRUCT DEMOCRACY IN AMERICA,
1860-1880

BY

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*Ad Virginiam Vitae Salvatorem*

# TO THE READER

The story of transplanting millions of Africans to the new world, and of their bondage for four centuries, is a fascinating one. Particularly interesting for students of human culture is the sudden freeing of these black folk in the Nineteenth Century and the attempt, through them, to reconstruct the basis of American democracy from 1860-1880.

This book seeks to tell and interpret these twenty years of fateful history with especial reference to the efforts and experiences of the Negroes themselves.

For the opportunity of making this study, I have to thank the Trustees of the Rosenwald Fund, who made me a grant covering two years; the Directors of the National Association for the Advancement of Colored People, who allowed me time for the writing; the President of Atlanta University, who gave me help and asylum during the completion of the work; and the Trustees of the Carnegie Fund who contributed toward the finishing of the manuscript. I need hardly add that none of these persons are in any way responsible for the views herein expressed.

It would be only fair to the reader to say frankly in advance that the attitude of any person toward this story will be distinctly influenced by his theories of the Negro race. If he believes that the Negro in America and in general is an average and ordinary human being, who under given environment develops like other human beings, then he will read this story and judge it by the facts adduced. If, however, he regards the Negro as a distinctly inferior creation, who can never successfully take part in modern civilization and whose emancipation and enfranchisement were gestures against nature, then he will need something more than the sort of facts that I have set down. But this latter person, I am not trying to convince. I am simply pointing out these two points of view, so obvious to Americans, and then without further ado, I am assuming the truth of the first. In fine, I am going to tell this story as though Negroes were ordinary human beings, realizing that this attitude will from the first seriously curtail my audience.

W. E. BURGHARDT DU BOIS

*Atlanta, December, 1934*

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# BLACK RECONSTRUCTION IN AMERICA

# I. THE BLACK WORKER

How black men, coming to America in the sixteenth, seventeenth, eighteenth and nineteenth centuries, became a central thread in the history of the United States, at once a challenge to its democracy and always an important part of its economic history and social development

Easily the most dramatic episode in American history was the sudden move to free four million black slaves in an effort to stop a great civil war, to end forty years of bitter controversy, and to appease the moral sense of civilization.

From the day of its birth, the anomaly of slavery plagued a nation which asserted the equality of all men, and sought to derive powers of government from the consent of the governed. Within sound of the voices of those who said this lived more than half a million black slaves, forming nearly one-fifth of the population of a new nation.

The black population at the time of the first census had risen to three-quarters of a million, and there were over a million at the beginning of the nineteenth century. Before 1830, the blacks had passed the two million mark, helped by the increased importations just before 1808, and the illicit smuggling up until 1820. By their own reproduction, the Negroes reached 3,638,808 in 1850, and before the Civil War, stood at 4,441,830. They were 10% of the whole population of the nation in 1700, 22% in 1750, 18.9% in 1800 and 11.6% in 1900.

These workers were not all black and not all Africans and not all slaves. In 1860, at least 90% were born in the United States, 13% were visibly of white as well as Negro descent and actually more than one-fourth were probably of white, Indian and Negro blood. In 1860, 11% of these dark folk were free workers.

In origin, the slaves represented everything African, although most of them originated on or near the West Coast. Yet among them appeared the great Bantu tribes from Sierra Leone to South Africa; the Sudanese, straight across the center of the continent, from the Atlantic to the Valley of the Nile; the Nilotic Negroes and the black and brown Hamites, allied with Egypt; the tribes of the great lakes; the Pygmies and the Hottentots; and in addition to these, distinct traces of both Berber and Arab blood. There is no doubt of the presence of all these various elements in the mass of 10,000,000 or more Negroes

transported from Africa to the various Americas, from the fifteenth to the nineteenth centuries.

Most of them that came to the continent went through West Indian tutelage, and thus finally appeared in the United States. They brought with them their religion and rhythmic song, and some traces of their art and tribal customs. And after a lapse of two and one-half centuries, the Negroes became a settled working population, speaking English or French, professing Christianity, and used principally in agricultural toil. Moreover, they so mingled their blood with white and red America that today less than 25% of the Negro Americans are of unmixed African descent.

So long as slavery was a matter of race and color, it made the conscience of the nation uneasy and continually affronted its ideals. The men who wrote the Constitution sought by every evasion, and almost by subterfuge, to keep recognition of slavery out of the basic form of the new government. They founded their hopes on the prohibition of the slave trade, being sure that without continual additions from abroad, this tropical people would not long survive, and thus the problem of slavery would disappear in death. They miscalculated, or did not foresee the changing economic world. It might be more profitable in the West Indies to kill the slaves by overwork and import cheap Africans; but in America without a slave trade, it paid to conserve the slave and let him multiply. When, therefore, manifestly the Negroes were not dying out, there came quite naturally new excuses and explanations. It was a matter of social condition. Gradually these people would be free; but freedom could only come to the bulk as the freed were transplanted to their own land and country, since the living together of black and white in America was unthinkable. So again the nation waited, and its conscience sank to sleep.

But in a rich and eager land, wealth and work multiplied. They twisted new and intricate patterns around the earth. Slowly but mightily these black workers were integrated into modern industry. On free and fertile land Americans raised, not simply sugar as a cheap sweetening, rice for food and tobacco as a new and tickling luxury; but they began to grow a fiber that clothed the masses of a ragged world. Cotton grew so swiftly that the 9,000 bales of cotton which the new nation scarcely noticed in 1791 became 79,000 in 1800; and with this increase, walked economic revolution in a dozen different lines. The cotton crop reached one-half million bales in 1822, a million bales in 1831, two million in 1840, three million in 1852, and in the year of secession, stood at the then enormous total of five million bales.

Such facts and others, coupled with the increase of the slaves to which they were related as both cause and effect, meant a new

world; and all the more so because with increase in American cotton and Negro slaves, came both by chance and ingenuity new miracles for manufacturing, and particularly for the spinning and weaving of cloth.

The giant forces of water and of steam were harnessed to do the world's work, and the black workers of America bent at the bottom of a growing pyramid of commerce and industry; and they not only could not be spared, if this new economic organization was to expand, but rather they became the cause of new political demands and alignments, of new dreams of power and visions of empire.

First of all, their work called for widening stretches of new, rich, black soil—in Florida, in Louisiana, in Mexico; even in Kansas. This land, added to cheap labor, and labor easily regulated and distributed, made profits so high that a whole system of culture arose in the South, with a new leisure and social philosophy. Black labor became the foundation stone not only of the Southern social structure, but of Northern manufacture and commerce, of the English factory system, of European commerce, of buying and selling on a world-wide scale; new cities were built on the results of black labor, and a new labor problem, involving all white labor, arose both in Europe and America.

Thus, the old difficulties and paradoxes appeared in new dress. It became easy to say and easier to prove that these black men were not men in the sense that white men were, and could never be, in the same sense, free. Their slavery was a matter of both race and social condition, but the condition was limited and determined by race. They were congenital wards and children, to be well-treated and cared for, but far happier and safer here than in their own land. As the Richmond, Virginia, *Examiner* put it in 1854:

"Let us not bother our brains about what *Providence* intends to do with our Negroes in the distant future, but glory in and profit to the utmost by what He has done for them in transplanting them here, and setting them to work on our plantations. . . . True philanthropy to the Negro, begins, like charity, at home; and if Southern men would act as if the canopy of heaven were inscribed with a covenant, in letters of fire, that *the Negro is here, and here forever; is our property, and ours forever;* . . . they would accomplish more good for the race in five years than they boast the institution itself to have accomplished in two centuries. . . ."

On the other hand, the growing exploitation of white labor in Europe, the rise of the factory system, the increased monopoly of land, and the problem of the distribution of political power, began to send wave after wave of immigrants to America, looking for new freedom, new opportunity and new democracy.

The opportunity for real and new democracy in America was broad. Political power at first was, as usual, confined to property holders and an aristocracy of birth and learning. But it was never securely based on land. Land was free and both land and property were possible to nearly every thrifty worker. Schools began early to multiply and open their doors even to the poor laborer. Birth began to count for less and less and America became to the world a land of economic opportunity. So the world came to America, even before the Revolution, and afterwards during the nineteenth century, nineteen million immigrants entered the United States.

When we compare these figures with the cotton crop and the increase of black workers, we see how the economic problem increased in intricacy. This intricacy is shown by the persons in the drama and their differing and opposing interests. There were the native-born Americans, largely of English descent, who were the property holders and employers; and even so far as they were poor, they looked forward to the time when they would accumulate capital and become, as they put it, economically "independent." Then there were the new immigrants, torn with a certain violence from their older social and economic surroundings; strangers in a new land, with visions of rising in the social and economic world by means of labor. They differed in language and social status, varying from the half-starved Irish peasant to the educated German and English artisan. There were the free Negroes: those of the North free in some cases for many generations, and voters; and in other cases, fugitives, new come from the South, with little skill and small knowledge of life and labor in their new environment. There were the free Negroes of the South, an unstable, harried class, living on sufferance of the law, and the good will of white patrons, and yet rising to be workers and sometimes owners of property and even of slaves, and cultured citizens. There was the great mass of poor whites, disinherited of their economic portion by competition with the slave system, and land monopoly.

In the earlier history of the South, free Negroes had the right to vote. Indeed, so far as the letter of the law was concerned, there was not a single Southern colony in which a black man who owned the requisite amount of property, and complied with other conditions, did not at some period have the legal right to vote.

Negroes voted in Virginia as late as 1723, when the assembly enacted that no free Negro, mulatto or Indian "shall hereafter have any vote at the elections of burgesses or any election whatsoever." In North Carolina, by the Act of 1734, a former discrimination against Negro voters was laid aside and not reënacted until 1835.

A complaint in South Carolina, in 1701, said:

"Several free Negroes were receiv'd, & taken for as good Electors as the best Freeholders in the Province. So that we leave it with Your Lordships to judge whether admitting Aliens, Strangers, Servants, Negroes, &c, as good and qualified Voters, can be thought any ways agreeable to King Charles' Patent to Your Lordships, or the English Constitution of Government." Again in 1716, Jews and Negroes, who had been voting, were expressly excluded. In Georgia, there was at first no color discrimination, although only owners of fifty acres of land could vote. In 1761, voting was expressly confined to white men.[1]

In the states carved out of the Southwest, they were disfranchised as soon as the state came into the Union, although in Kentucky they voted between 1792 and 1799, and Tennessee allowed free Negroes to vote in her constitution of 1796.

In North Carolina, where even disfranchisement, in 1835, did not apply to Negroes who already had the right to vote, it was said that the several hundred Negroes who had been voting before then usually voted prudently and judiciously.

In Delaware and Maryland they voted in the latter part of the eighteenth century. In Louisiana, Negroes who had had the right to vote during territorial status were not disfranchised.

To sum up, in colonial times, the free Negro was excluded from the suffrage only in Georgia, South Carolina and Virginia. In the Border States, Delaware disfranchised the Negro in 1792; Maryland in 1783 and 1810.

In the Southeast, Florida disfranchised Negroes in 1845; and in the Southwest, Louisiana disfranchised them in 1812; Mississippi in 1817; Alabama in 1819; Missouri, 1821; Arkansas in 1836; Texas, 1845. Georgia in her constitution of 1777 confined voters to white males; but this was omitted in the constitutions of 1789 and 1798.

As slavery grew to a system and the Cotton Kingdom began to expand into imperial white domination, a free Negro was a contradiction, a threat and a menace. As a thief and a vagabond, he threatened society; but as an educated property holder, a successful mechanic or even professional man, he more than threatened slavery. He contradicted and undermined it. He must not be. He must be suppressed, enslaved, colonized. And nothing so bad could be said about him that did not easily appear as true to slaveholders.

In the North, Negroes, for the most part, received political enfranchisement with the white laboring classes. In 1778, the Congress of the Confederation twice refused to insert the word "white" in the Articles of Confederation in asserting that free inhabitants in each state should be entitled to all the privileges and immunities of free citizens of the several states. In the law of 1783, free Negroes were

recognized as a basis of taxation, and in 1784, they were recognized as voters in the territories. In the Northwest Ordinance of 1787, "free male inhabitants of full age" were recognized as voters.

The few Negroes that were in Maine, New Hampshire and Vermont could vote if they had the property qualifications. In Connecticut they were disfranchised in 1814; in 1865 this restriction was retained, and Negroes did not regain the right until after the Civil War. In New Jersey, they were disfranchised in 1807, but regained the right in 1820 and lost it again in 1847. Negroes voted in New York in the eighteenth century, then were disfranchised, but in 1821 were permitted to vote with a discriminatory property qualification of $250. No property qualification was required of whites. Attempts were made at various times to remove this qualification but it was not removed until 1870. In Rhode Island they were disfranchised in the constitution which followed Dorr's Rebellion, but finally allowed to vote in 1842. In Pennsylvania, they were allowed to vote until 1838 when the "reform" convention restricted the suffrage to whites.

The Western States as territories did not usually restrict the suffrage, but as they were admitted to the Union they disfranchised the Negroes: Ohio in 1803; Indiana in 1816; Illinois in 1818; Michigan in 1837; Iowa in 1846; Wisconsin in 1848; Minnesota in 1858; and Kansas in 1861.

The Northwest Ordinance and even the Louisiana Purchase had made no color discrimination in legal and political rights. But the states admitted from this territory, specifically and from the first, denied free black men the right to vote and passed codes of black laws in Ohio, Indiana and elsewhere, instigated largely by the attitude and fears of the immigrant poor whites from the South. Thus, at first, in Kansas and the West, the problem of the black worker was narrow and specific. Neither the North nor the West asked that black labor in the United States be free and enfranchised. On the contrary, they accepted slave labor as a fact; but they were determined that it should be territorially restricted, and should not compete with free white labor.

What was this industrial system for which the South fought and risked life, reputation and wealth and which a growing element in the North viewed first with hesitating tolerance, then with distaste and finally with economic fear and moral horror? What did it mean to be a slave? It is hard to imagine it today. We think of oppression beyond all conception: cruelty, degradation, whipping and starvation, the absolute negation of human rights; or on the contrary, we may think of the ordinary worker the world over today, slaving ten, twelve, or fourteen hours a day, with not enough to eat, compelled by

his physical necessities to do this and not to do that, curtailed in his movements and his possibilities; and we say, here, too, is a slave called a "free worker," and slavery is merely a matter of name.

But there was in 1863 a real meaning to slavery different from that we may apply to the laborer today. It was in part psychological, the enforced personal feeling of inferiority, the calling of another Master; the standing with hat in hand. It was the helplessness. It was the defenselessness of family life. It was the submergence below the arbitrary will of any sort of individual. It was without doubt worse in these vital respects than that which exists today in Europe or America. Its analogue today is the yellow, brown and black laborer in China and India, in Africa, in the forests of the Amazon; and it was this slavery that fell in America.

The slavery of Negroes in the South was not usually a deliberately cruel and oppressive system. It did not mean systematic starvation or murder. On the other hand, it is just as difficult to conceive as quite true the idyllic picture of a patriarchal state with cultured and humane masters under whom slaves were as children, guided and trained in work and play, given even such mental training as was for their good, and for the well-being of the surrounding world.

The victims of Southern slavery were often happy; had usually adequate food for their health, and shelter sufficient for a mild climate. The Southerners could say with some justification that when the mass of their field hands were compared with the worst class of laborers in the slums of New York and Philadelphia, and the factory towns of New England, the black slaves were as well off and in some particulars better off. Slaves lived largely in the country where health conditions were better; they worked in the open air, and their hours were about the current hours for peasants throughout Europe. They received no formal education, and neither did the Irish peasant, the English factory-laborer, nor the German *Bauer;* and in contrast with these free white laborers, the Negroes were protected by a certain primitive sort of old-age pension, job insurance, and sickness insurance; that is, they must be supported in some fashion, when they were too old to work; they must have attention in sickness, for they represented invested capital; and they could never be among the unemployed.

On the other hand, it is just as true that Negro slaves in America represented the worst and lowest conditions among modern laborers. One estimate is that the maintenance of a slave in the South cost the master about $19 a year, which means that they were among the poorest paid laborers in the modern world. They represented in a very real sense the ultimate degradation of man. Indeed, the system was so re-

actionary, so utterly inconsistent with modern progress, that we simply cannot grasp it today. No matter how degraded the factory hand, he is not real estate. The tragedy of the black slave's position was precisely this; his absolute subjection to the individual will of an owner and to "the cruelty and injustice which are the invariable consequences of the exercise of irresponsible power, especially where authority must be sometimes delegated by the planter to agents of inferior education and coarser feelings."

The proof of this lies clearly written in the slave codes. Slaves were not considered men. They had no right of petition. They were "devisable like any other chattel." They could own nothing; they could make no contracts; they could hold no property, nor traffic in property; they could not hire out; they could not legally marry nor constitute families; they could not control their children; they could not appeal from their master; they could be punished at will. They could not testify in court; they could be imprisoned by their owners, and the criminal offense of assault and battery could not be committed on the person of a slave. The "willful, malicious and deliberate murder" of a slave was punishable by death, but such a crime was practically impossible of proof. The slave owed to his master and all his family a respect "without bounds, and an absolute obedience." This authority could be transmitted to others. A slave could not sue his master; had no right of redemption; no right to education or religion; a promise made to a slave by his master had no force nor validity. Children followed the condition of the slave mother. The slave could have no access to the judiciary. A slave might be condemned to death for striking any white person.

Looking at these accounts, "it is safe to say that the law regards a Negro slave, so far as his civil status is concerned, purely and absolutely property, to be bought and sold and pass and descend as a tract of land, a horse, or an ox." [2]

The whole legal status of slavery was enunciated in the extraordinary statement of a Chief Justice of the United States that Negroes had always been regarded in America "as having no rights which a white man was bound to respect."

It may be said with truth that the law was often harsher than the practice. Nevertheless, these laws and decisions represent the legally permissible possibilities, and the only curb upon the power of the master was his sense of humanity and decency, on the one hand, and the conserving of his investment on the other. Of the humanity of large numbers of Southern masters there can be no doubt. In some cases, they gave their slaves a fatherly care. And yet even in such cases the strain upon their ability to care for large numbers of people and

the necessity of entrusting the care of the slaves to other hands than their own, led to much suffering and cruelty.

The matter of his investment in land and slaves greatly curtailed the owner's freedom of action. Under the competition of growing industrial organization, the slave system was indeed the source of immense profits. But for the slave owner and landlord to keep a large or even reasonable share of these profits was increasingly difficult. The price of the slave produce in the open market could be hammered down by merchants and traders acting with knowledge and collusion. And the slave owner was, therefore, continually forced to find his profit not in the high price of cotton and sugar, but in beating even further down the cost of his slave labor. This made the slave owners in early days kill the slave by overwork and renew their working stock; it led to the widely organized interstate slave trade between the Border States and the Cotton Kingdom of the Southern South; it led to neglect and the breaking up of families, and it could not protect the slave against the cruelty, lust and neglect of certain owners.

Thus human slavery in the South pointed and led in two singularly contradictory and paradoxical directions—toward the deliberate commercial breeding and sale of human labor for profit and toward the intermingling of black and white blood. The slaveholders shrank from acknowledging either set of facts but they were clear and undeniable.

In this vital respect, the slave laborer differed from all others of his day: he could be sold; he could, at the will of a single individual, be transferred for life a thousand miles or more. His family, wife and children could be legally and absolutely taken from him. Free laborers today are compelled to wander in search for work and food; their families are deserted for want of wages; but in all this there is no such direct barter in human flesh. It was a sharp accentuation of control over men beyond the modern labor reserve or the contract coolie system.

Negroes could be sold—actually sold as we sell cattle with no reference to calves or bulls, or recognition of family. It was a nasty business. The white South was properly ashamed of it and continually belittled and almost denied it. But it was a stark and bitter fact. Southern papers of the Border States were filled with advertisements:—"I wish to purchase fifty Negroes of both sexes from 6 to 30 years of age for which I will give the highest cash prices."

"Wanted to purchase—Negroes of every description, age and sex."

The consequent disruption of families is proven beyond doubt:

"Fifty Dollars reward.—Ran away from the subscriber, a Negro

girl, named Maria. She is of a copper color, between 13 and 14 years of age—bareheaded and barefooted. She is small for her age—very sprightly and very likely. She stated she was *going to see her mother* at Maysville. Sanford Tomson."

"Committed to jail of Madison County, a Negro woman, who calls her name Fanny, and says she belongs to William Miller, of Mobile. She formerly belonged to John Givins, of this county, who now owns *several of her children*. David Shropshire, Jailer."

"Fifty Dollar reward.—Ran away from the subscriber, his Negro man Pauladore, commonly called Paul. I understand Gen. R. Y. Hayne *has purchased his wife and children* from H. L. Pinckney, Esq., and has them on his plantation at Goosecreek, where, no doubt, the fellow is frequently *lurking*. T. Davis." One can see Pauladore "lurking" about his wife and children.[3]

The system of slavery demanded a special police force and such a force was made possible and unusually effective by the presence of the poor whites. This explains the difference between the slave revolts in the West Indies, and the lack of effective revolt in the Southern United States. In the West Indies, the power over the slave was held by the whites and carried out by them and such Negroes as they could trust. In the South, on the other hand, the great planters formed proportionately quite as small a class but they had singularly enough at their command some five million poor whites; that is, there were actually more white people to police the slaves than there were slaves. Considering the economic rivalry of the black and white worker in the North, it would have seemed natural that the poor white would have refused to police the slaves. But two considerations led him in the opposite direction. First of all, it gave him work and some authority as overseer, slave driver, and member of the patrol system. But above and beyond this, it fed his vanity because it associated him with the masters. Slavery bred in the poor white a dislike of Negro toil of all sorts. He never regarded himself as a laborer, or as part of any labor movement. If he had any ambition at all it was to become a planter and to own "niggers." To these Negroes he transferred all the dislike and hatred which he had for the whole slave system. The result was that the system was held stable and intact by the poor white. Even with the late ruin of Haiti before their eyes, the planters, stirred as they were, were nevertheless able to stamp out slave revolt. The dozen revolts of the eighteenth century had dwindled to the plot of Gabriel in 1800, Vesey in 1822, of Nat Turner in 1831 and crews of the *Amistad* and *Creole* in 1839 and 1841. Gradually the whole white South became an armed and commissioned camp to keep Negroes in slavery and to kill the black rebel.

But even the poor white, led by the planter, would not have kept the black slave in nearly so complete control had it not been for what may be called the Safety Valve of Slavery; and that was the chance which a vigorous and determined slave had to run away to freedom.

Under the situation as it developed between 1830 and 1860 there were grave losses to the capital invested in black workers. Encouraged by the idealism of those Northern thinkers who insisted that Negroes were human, the black worker sought freedom by running away from slavery. The physical geography of America with its paths north, by swamp, river and mountain range; the daring of black revolutionists like Henson and Tubman; and the extra-legal efforts of abolitionists made this more and more easy.

One cannot know the real facts concerning the number of fugitives, but despite the fear of advertising the losses, the emphasis put upon fugitive slaves by the South shows that it was an important economic item. It is certain from the bitter effort to increase the efficiency of the fugitive slave law that the losses from runaways were widespread and continuous; and the increase in the interstate slave trade from Border States to the deep South, together with the increase in the price of slaves, showed a growing pressure. At the beginning of the nineteenth century, one bought an average slave for $200; while in 1860 the price ranged from $1,400 to $2,000.

Not only was the fugitive slave important because of the actual loss involved, but for potentialities in the future. These free Negroes were furnishing a leadership for the mass of the black workers, and especially they were furnishing a text for the abolition idealists. Fugitive slaves, like Frederick Douglass and others humbler and less gifted, increased the number of abolitionists by thousands and spelled the doom of slavery.

The true significance of slavery in the United States to the whole social development of America lay in the ultimate relation of slaves to democracy. What were to be the limits of democratic control in the United States? If all labor, black as well as white, became free—were given schools and the right to vote—what control could or should be set to the power and action of these laborers? Was the rule of the mass of Americans to be unlimited, and the right to rule extended to all men regardless of race and color, or if not, what power of dictatorship and control; and how would property and privilege be protected? This was the great and primary question which was in the minds of the men who wrote the Constitution of the United States and continued in the minds of thinkers down through the slavery controversy. It still remains with the world as the problem of democracy expands and touches all races and nations.

And of all human development, ancient and modern, not the least singular and significant is the philosophy of life and action which slavery bred in the souls of black folk. In most respects its expression was stilted and confused; the rolling periods of Hebrew prophecy and biblical legend furnished inaccurate but splendid words. The subtle folk-lore of Africa, with whimsy and parable, veiled wish and wisdom; and above all fell the anointing chrism of the slave music, the only gift of pure art in America.

Beneath the Veil lay right and wrong, vengeance and love, and sometimes throwing aside the veil, a soul of sweet Beauty and Truth stood revealed. Nothing else of art or religion did the slave South give to the world, except the Negro song and story. And even after slavery, down to our day, it has added but little to this gift. One has but to remember as symbol of it all, still unspoiled by petty artisans, the legend of John Henry, the mighty black, who broke his heart working against the machine, and died "with his Hammer in His Hand."

Up from this slavery gradually climbed the Free Negro with clearer, modern expression and more definite aim long before the emancipation of 1863. His greatest effort lay in his coöperation with the Abolition movement. He knew he was not free until all Negroes were free. Individual Negroes became exhibits of the possibilities of the Negro race, if once it was raised above the status of slavery. Even when, as so often, the Negro became Court Jester to the ignorant American mob, he made his plea in his songs and antics.

Thus spoke "the noblest slave that ever God set free," Frederick Douglass in 1852, in his 4th of July oration at Rochester, voicing the frank and fearless criticism of the black worker:

"What, to the American slave, is your 4th of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciation of tyrants, brass-fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, are, to him, mere bombast, fraud, deception, impiety and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. . . .

"You boast of your love of liberty, your superior civilization, and your pure Christianity, while the whole political power of the nation (as embodied in the two great political parties) is solemnly pledged to support and perpetuate the enslavement of three millions of your countrymen. You hurl your anathemas at the crown-headed tyrants

of Russia and Austria and pride yourselves on your democratic institutions, while you yourselves consent to be the mere *tools* and *body-guards* of the tyrants of Virginia and Carolina. You invite to your shores fugitives of oppression from abroad, honor them with banquets, greet them with ovations, cheer them, toast them, salute them, protect them, and pour out your money to them like water; but the fugitives from your own land you advertise, hunt, arrest, shoot, and kill. You glory in your refinement and your universal education; yet you maintain a system as barbarous and dreadful as ever stained the character of a nation—a system begun in avarice, supported in pride, and perpetuated in cruelty. You shed tears over fallen Hungary, and make the sad story of her wrongs the theme of your poets, statesmen, and orators, till your gallant sons are ready to fly to arms to vindicate her cause against the oppressor; but, in regard to the ten thousand wrongs of the American slave, you would enforce the strictest silence, and would hail him as an enemy of the nation who dares to make those wrongs the subject of public discourse!" [4]

Above all, we must remember the black worker was the ultimate exploited; that he formed that mass of labor which had neither wish nor power to escape from the labor status, in order to directly exploit other laborers, or indirectly, by alliance with capital, to share in their exploitation. To be sure, the black mass, developed again and again, here and there, capitalistic groups in New Orleans, in Charleston and in Philadelphia; groups willing to join white capital in exploiting labor; but they were driven back into the mass by racial prejudice before they had reached a permanent foothold; and thus became all the more bitter against all organization which by means of race prejudice, or the monopoly of wealth, sought to exclude men from making a living.

It was thus the black worker, as founding stone of a new economic system in the nineteenth century and for the modern world, who brought civil war in America. He was its underlying cause, in spite of every effort to base the strife upon union and national power.

That dark and vast sea of human labor in China and India, the South Seas and all Africa; in the West Indies and Central America and in the United States—that great majority of mankind, on whose bent and broken backs rest today the founding stones of modern industry—shares a common destiny; it is despised and rejected by race and color; paid a wage below the level of decent living; driven, beaten, prisoned and enslaved in all but name; spawning the world's raw material and luxury—cotton, wool, coffee, tea, cocoa, palm oil, fibers, spices, rubber, silks, lumber, copper, gold, diamonds, leather—how shall we end the list and where? All these are gathered up at

prices lowest of the low, manufactured, transformed and transported at fabulous gain; and the resultant wealth is distributed and displayed and made the basis of world power and universal dominion and armed arrogance in London and Paris, Berlin and Rome, New York and Rio de Janeiro.

Here is the real modern labor problem. Here is the kernel of the problem of Religion and Democracy, of Humanity. Words and futile gestures avail nothing. Out of the exploitation of the dark proletariat comes the Surplus Value filched from human beasts which, in cultured lands, the Machine and harnessed Power veil and conceal. The emancipation of man is the emancipation of labor and the emancipation of labor is the freeing of that basic majority of workers who are yellow, brown and black.

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Dark, shackled knights of labor, clinging still
Amidst a universal wreck of faith
To cheerfulness, and foreigners to hate.
These know ye not, these have ye not received,
But these shall speak to you Beatitudes.
Around them surge the tides of all your strife,
Above them rise the august monuments
Of all your outward splendor, but they stand
Unenvious in thought, and bide their time.

LESLIE P. HILL

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1. Compare A. E. McKinley, *The Suffrage Franchise in the Thirteen English Colonies in America,* p. 137.
2. *A Picture of Slavery Drawn from the Decisions of Southern Courts,* p. 5.
3. Compare Bancroft, *Slave-Trading in the Old South;* Weld, *American Slavery as It Is.*
4. Woodson, *Negro Orators and Their Orations,* pp. 218-19.

# II. THE WHITE WORKER

How America became the laborer's Promised Land; and flocking here from all the world the white workers competed with black slaves, with new floods of foreigners, and with growing exploitation, until they fought slavery to save democracy and then lost democracy in a new and vaster slavery

The opportunity for real and new democracy in America was broad. Political power was at first as usual confined to property holders and an aristocracy of birth and learning. But it was never securely based on land. Land was free and both land and property were possible to nearly every thrifty worker. Schools began early to multiply and open their doors even to the poor laborer. Birth began to count for less and less and America became to the world a land of opportunity. So the world came to America, even before the Revolution, and afterward during the nineteenth century, nineteen million immigrants entered the United States.

The new labor that came to the United States, while it was poor, used to oppression and accustomed to a low standard of living, was not willing, after it reached America, to regard itself as a permanent laboring class and it is in the light of this fact that the labor movement among white Americans must be studied. The successful, well-paid American laboring class formed, because of its property and ideals, a petty bourgeoisie ready always to join capital in exploiting common labor, white and black, foreign and native. The more energetic and thrifty among the immigrants caught the prevalent American idea that here labor could become emancipated from the necessity of continuous toil and that an increasing proportion could join the class of exploiters, that is of those who made their income chiefly by profit derived through the hiring of labor.

Abraham Lincoln expressed this idea frankly at Hartford, in March, 1860. He said:

"I am not ashamed to confess that twenty-five years ago I was a hired laborer, mauling rails, at work on a flat boat—just what might happen to any poor man's son." Then followed the characteristic philosophy of the time: "I want every man to have his chance—and I believe a black man is entitled to it—in which he can better his condition—when he may look forward and hope to be a hired laborer this

year and the next, work for himself afterward, and finally to hire men to work for him. That is the true system."

He was enunciating the widespread American idea of the son rising to a higher economic level than the father; of the chance for the poor man to accumulate wealth and power, which made the European doctrine of a working class fighting for the elevation of all workers seem not only less desirable but even less possible for average workers than they had formerly considered it.

These workers came to oppose slavery not so much from moral as from the economic fear of being reduced by competition to the level of slaves. They wanted a chance to become capitalists; and they found that chance threatened by the competition of a working class whose status at the bottom of the economic structure seemed permanent and inescapable. At first, black slavery jarred upon them, and as early as the seventeenth century German immigrants to Pennsylvania asked the Quakers innocently if slavery was in accord with the Golden Rule. Then, gradually, as succeeding immigrants were thrown in difficult and exasperating competition with black workers, their attitude changed. These were the very years when the white worker was beginning to understand the early American doctrine of wealth and property; to escape the liability of imprisonment for debt, and even to gain the right of universal suffrage. He found pouring into cities like New York and Philadelphia emancipated Negroes with low standards of living, competing for the jobs which the lower class of unskilled white laborers wanted.

For the immediate available jobs, the Irish particularly competed and the employers because of race antipathy and sympathy with the South did not wish to increase the number of Negro workers, so long as the foreigners worked just as cheaply. The foreigners in turn blamed blacks for the cheap price of labor. The result was race war; riots took place which were at first simply the flaming hostility of groups of laborers fighting for bread and butter; then they turned into race riots. For three days in Cincinnati in 1829, a mob of whites wounded and killed free Negroes and fugitive slaves and destroyed property. Most of the black population, numbering over two thousand, left the city and trekked to Canada. In Philadelphia, 1828-1840, a series of riots took place which thereafter extended until after the Civil War. The riot of 1834 took the dimensions of a pitched battle and lasted for three days. Thirty-one houses and two churches were destroyed. Other riots took place in 1835 and 1838 and a two days' riot in 1842 caused the calling out of the militia with artillery.

In the forties came quite a different class, the English and German workers, who had tried by organization to fight the machine and in

the end had to some degree envisaged the Marxian reorganization of industry through trade unions and class struggle. The attitude of these people toward the Negro was varied and contradictory. At first they blurted out their disapprobation of slavery on principle. It was a phase of all wage slavery. Then they began to see a way out for the worker in America through the free land of the West. Here was a solution such as was impossible in Europe: plenty of land, rich land, land coming daily nearer its own markets, to which the worker could retreat and restore the industrial balance ruined in Europe by the expropriation of the worker from the soil. Or in other words, the worker in America saw a chance to increase his wage and regulate his conditions of employment much greater than in Europe. The trade unions could have a material backing that they could not have in Germany, France or England. This thought, curiously enough, instead of increasing the sympathy for the slave turned it directly into rivalry and enmity.

The wisest of the leaders could not clearly envisage just how slave labor in conjunction and competition with free labor tended to reduce all labor toward slavery. For this reason, the union and labor leaders gravitated toward the political party which opposed tariff bounties and welcomed immigrants, quite forgetting that this same Democratic party had as its backbone the planter oligarchy of the South with its slave labor.

The new immigrants in their competition with this group reflected not simply the general attitude of America toward colored people, but particularly they felt a threat of slave competition which these Negroes foreshadowed. The Negroes worked cheaply, partly from custom, partly as their only defense against competition. The white laborers realized that Negroes were part of a group of millions of workers who were slaves by law, and whose competition kept white labor out of the work of the South and threatened its wages and stability in the North. When now the labor question moved West, and became a part of the land question, the competition of black men became of increased importance. Foreign laborers saw more clearly than most Americans the tremendous significance of free land in abundance, such as America possessed, in open contrast to the land monopoly of Europe. But here on this free land, they met not only a few free Negro workers, but the threat of a mass of slaves. The attitude of the West toward Negroes, therefore, became sterner than that of the East. Here was the possibility of direct competition with slaves, and the absorption of Western land into the slave system. This must be resisted at all costs, but beyond this, even free Negroes must be discouraged. On this the Southern poor white immigrants insisted.

In the meantime, the problem of the black worker had not ceased

to trouble the conscience and the economic philosophy of America. That the worker should be a bond slave was fundamentally at variance with the American doctrine, and the demand for the abolition of slavery had been continuous since the Revolution. In the North, it had resulted in freeing gradually all of the Negroes. But the comparatively small number of those thus freed was being augmented now by fugitive slaves from the South, and manifestly the ultimate plight of the black worker depended upon the course of Southern slavery. There arose, then, in the thirties, and among thinkers and workers, a demand that slavery in the United States be immediately abolished.

This demand became epitomized in the crusade of William Lloyd Garrison, himself a poor printer, but a man of education, thought and indomitable courage. This movement was not primarily a labor movement or a matter of profit and wage. It simply said that under any condition of life, the reduction of a human being to real estate was a crime against humanity of such enormity that its existence must be immediately ended. After emancipation there would come questions of labor, wage and political power. But now, first, must be demanded that ordinary human freedom and recognition of essential manhood which slavery blasphemously denied. This philosophy of freedom was a logical continuation of the freedom philosophy of the eighteenth century which insisted that Freedom was not an End but an indispensable means to the beginning of human progress and that democracy could function only after the dropping of feudal privileges, monopoly and chains.

The propaganda which made the abolition movement terribly real was the Fugitive Slave—the piece of intelligent humanity who could say: I have been owned like an ox. I stole my own body and now I am hunted by law and lash to be made an ox again. By no conception of justice could such logic be answered. Nevertheless, at the same time white labor, while it attempted no denial but even expressed faint sympathy, saw in this fugitive slave and in the millions of slaves behind him, willing and eager to work for less than current wage, competition for their own jobs. What they failed to comprehend was that the black man enslaved was an even more formidable and fatal competitor than the black man free.

Here, then, were two labor movements: the movement to give the black worker a minimum legal status which would enable him to sell his own labor, and another movement which proposed to increase the wage and better the condition of the working class in America, now largely composed of foreign immigrants, and dispute with the new American capitalism the basis upon which the new wealth was to be divided. Broad philanthropy and a wide knowledge of the ele-

ments of human progress would have led these two movements to unite and in their union to become irresistible. It was difficult, almost impossible, for this to be clear to the white labor leaders of the thirties. They had their particularistic grievances and one of these was the competition of free Negro labor. Beyond this they could easily vision a new and tremendous competition of black workers after all the slaves became free. What they did not see nor understand was that this competition was present and would continue and would be emphasized if the Negro continued as a slave worker. On the other hand, the Abolitionists did not realize the plight of the white laborer, especially the semi-skilled and unskilled worker.

While the Evans brothers, who came as labor agitators in 1825, had among their twelve demands "the abolition of chattel slavery," nevertheless, George was soon convinced that freedom without land was of no importance. He wrote to Gerrit Smith, who was giving land to Negroes, and said:

"I was formerly, like yourself, sir, a very warm advocate of the abolition of slavery. This was before I saw that there was *white* slavery. Since I saw this, I have materially changed my views as to the means of abolishing Negro slavery. I now see, clearly, I think, that to give the landless black the privilege of changing masters now possessed by the landless *white* would hardly be a benefit to him in exchange for his surety of support in sickness and old age, although he is in a favorable climate. If the Southern form of slavery existed at the North, I should say the black would be a great loser by such a change."[1]

At the convention of the New England anti-slavery society in 1845, Robert Owen, the great champion of coöperation, said he was opposed to Negro slavery, but that he had seen worse slavery in England than among the Negroes. Horace Greeley said the same year: "If I am less troubled concerning the slavery prevalent in Charleston or New Orleans, it is because I see so much slavery in New York which appears to claim my first efforts."

Thus despite all influences, reform and social uplift veered away from the Negro. Brisbane, Channing, Owen and other leaders called a National Reform Association to meet in New York in May, 1845. In October, Owen's "World Conference" met. But they hardly mentioned slavery. The Abolitionists did join a National Industrial Congress which met around 1845-1846. Other labor leaders were openly hostile toward the abolitionist movement, while the movement for free land increased.

Thus two movements—Labor-Free Soil, and Abolition, exhibited fundamental divergence instead of becoming one great party of free

labor and free land. The Free Soilers stressed the difficulties of even the free laborer getting hold of the land and getting work in the great congestion which immigration had brought; and the abolitionists stressed the moral wrong of slavery. These two movements might easily have coöperated and differed only in matters of emphasis; but the trouble was that black and white laborers were competing for the same jobs just of course as all laborers always are. The immediate competition became open and visible because of racial lines and racial philosophy and particularly in Northern states where free Negroes and fugitive slaves had established themselves as workers, while the ultimate and overshadowing competition of free and slave labor was obscured and pushed into the background. This situation, too, made extraordinary reaction, led by the ignorant mob and fomented by authority and privilege; abolitionists were attacked and their meeting places burned; women suffragists were hooted; laws were proposed making the kidnaping of Negroes easier and disfranchising Negro voters in conventions called for purposes of "reform."

The humanitarian reform movement reached its height in 1847-1849 amid falling prices, and trade unionism was at a low ebb. The strikes from 1849-1852 won the support of Horace Greeley, and increased the labor organizations. Labor in eastern cities refused to touch the slavery controversy, and the control which the Democrats had over the labor vote in New York and elsewhere increased this tendency to ignore the Negro, and increased the division between white and colored labor. In 1850, a Congress of Trade Unions was held with 110 delegates. They stressed land reform but said nothing about slavery and the organization eventually was captured by Tammany Hall. After 1850 unions composed of skilled laborers began to separate from common laborers and adopt a policy of closed shops and a minimum wage and excluded farmers and Negroes. Although this movement was killed by the panic of 1857, it eventually became triumphant in the eighties and culminated in the American Federation of Labor which today allows any local or national union to exclude Negroes on any pretext.

Other labor leaders became more explicit and emphasized race rather than class. John Campbell said in 1851: "Will the white race ever agree that blacks shall stand beside us on election day, upon the rostrum, in the ranks of the army, in our places of amusement, in places of public worship, ride in the same coaches, railway cars, or steamships? Never! Never! or is it natural, or just, that this kind of equality should exist? God never intended it; had he so willed it, he would have made all one color." [2]

New labor leaders arrived in the fifties. Hermann Kriege and Wil-

helm Weitling left their work in Germany, and their friends Marx and Engels, and came to America, and at the same time came tens of thousands of revolutionary Germans. The Socialist and Communist papers increased. Trade unions increased in power and numbers and held public meetings. Immediately, the question of slavery injected itself, and that of abolition.

Kriege began to preach land reform and free soil in 1846, and by 1850 six hundred American papers were supporting his program. But Kriege went beyond Evans and former leaders and openly repudiated abolition. He declared in 1846:

"That we see in the slavery question a property question which cannot be settled by itself alone. That we should declare ourselves in favor of the abolitionist movement if it were our intention to throw the Republic into a state of anarchy, to extend the competition of 'free workingmen' beyond all measure, and to depress labor itself to the last extremity. That we could not improve the lot of our 'black brothers' by abolition under the conditions prevailing in modern society, but make infinitely worse the lot of our 'white brothers.' That we believe in the peaceable development of society in the United States and do not, therefore, here at least see our only hope in condition of the extremest degradation. That we feel constrained, therefore, to oppose Abolition with all our might, despite all the importunities of sentimental philistines and despite all the poetical effusions of liberty-intoxicated ladies." [3]

Wilhelm Weitling, who came to America the following year, 1847, started much agitation but gave little attention to slavery. He did not openly side with the slaveholder, as Kriege did; nevertheless, there was no condemnation of slavery in his paper. In the first German labor conference in Philadelphia, under Weitling in 1850, a series of resolutions were passed which did not mention slavery. Both Kriege and Weitling joined the Democratic party and numbers of other immigrant Germans did the same thing, and these workers, therefore, became practical defenders of slavery. Doubtless, the "Know-Nothing" movement against the foreign-born forced many workers into the Democratic party, despite slavery.

The year 1853 saw the formation of the Arbeiterbund, under Joseph Weydemeyer, a friend of Karl Marx. This organization advocated Marxian socialism but never got a clear attitude toward slavery. In 1854, it opposed the Kansas-Nebraska bill because "Capitalism and land speculation have again been favored at the expense of the mass of the people," and "This bill withdraws from or makes unavailable in a future homestead bill vast tracts of territory," and "authorizes the further extension of slavery; but we have, do now, and shall con-

tinue to protest most emphatically against both white and black slavery."

Nevertheless, when the Arbeiterbund was reorganized in December, 1857, slavery was not mentioned. When its new organ appeared in April, 1858, it said that the question of the present moment was not the abolition of slavery, but the prevention of its further extension and that Negro slavery was firmly rooted in America. One small division of this organization in 1857 called for abolition of the slave trade and colonization of Negroes, but defended the Southern slaveholders.

In 1859, however, a conference of the Arbeiterbund condemned all slavery in whatever form it might appear, and demanded the repeal of the Fugitive Slave Law. The Democratic and pro-slavery New York *Staats-Zeitung* counseled the people to abstain from agitation against the extension of slavery, but all of the German population did not agree.

As the Chartist movement increased in England, the press was filled with attacks against the United States and its institutions, and the Chartists were clear on the matter of slavery. Their chief organ in 1844 said: "That damning stain upon the American escutcheon is one that has caused the Republicans of Europe to weep for very shame and mortification; and the people of the United States have much to answer for at the bar of humanity for this indecent, cruel, revolting and fiendish violation of their boasted principle—that 'All men are born free and equal.'"

The labor movement in England continued to emphasize the importance of attacking slavery; and the agitation, started by the work of Frederick Douglass and others, increased in importance and activity. In 1857, George I. Holyoake sent an anti-slavery address to America, signed by 1,800 English workingmen, whom Karl Marx himself was guiding in England, and this made the black American worker a central text. They pointed out the fact that the black worker was furnishing the raw material which the English capitalist was exploiting together with the English worker. This same year, the United States Supreme Court sent down the Dred Scott decision that Negroes were not citizens.

This English initiative had at first but limited influence in America. The trade unions were willing to admit that the Negroes ought to be free sometime; but at the present, self-preservation called for their slavery; and after all, whites were a different grade of workers from blacks. Even when the Marxian ideas arrived, there was a split; the earlier representatives of the Marxian philosophy in America agreed with the older Union movement in deprecating any entanglement

with the abolition controversy. After all, abolition represented capital. The whole movement was based on mawkish sentimentality, and not on the demands of the workers, at least of the white workers. And so the early American Marxists simply gave up the idea of intruding the black worker into the socialist commonwealth at that time.

To this logic the abolitionists were increasingly opposed. It seemed to them that the crucial point was the matter of freedom; that a free laborer in America had an even chance to make his fortune as a worker or a farmer; but, on the other hand, if the laborer was not free, as in the case of the Negro, he had no opportunity, and he inevitably degraded white labor. The abolitionist did not sense the new subordination into which the worker was being forced by organized capital, while the laborers did not realize that the exclusion of four million workers from the labor program was a fatal omission. Wendell Phillips alone suggested a boycott on Southern goods, and said that the great cause of labor was paramount and included mill operatives in New England, peasants in Ireland, and laborers in South America who ought not to be lost sight of in sympathy for the Southern slave.

In the United States shortly before the outbreak of the Civil War there were twenty-six trades with national organizations, including the iron and steel workers, machinists, blacksmiths, etc. The employers formed a national league and planned to import more workmen from foreign countries. The iron molders started a national strike July 5, 1859, and said: "Wealth is power, and practical experience teaches us that it is a power but too often used to oppress and degrade the daily laborer. Year after year the capital of the country becomes more and more concentrated in the hands of a few, and, in proportion as the wealth of the country becomes centralized, its power increases, and the laboring classes are impoverished. It therefore becomes us, as men who have to battle with the stern realities of life, to look this matter fair in the face; there is no dodging the question; let every man give it a fair, full and candid consideration, and then act according to his honest convictions. *What position are we, the mechanics of America, to hold in Society?*"

There was not a word in this address about slavery and one would not dream that the United States was on the verge of the greatest labor revolution it had seen. Other conferences of the molders, machinists and blacksmiths and others were held in the sixties, and a labor mass meeting at Faneuil Hall in Boston in 1861 said: "The truth is that the workingmen care little for the strife of political parties and the intrigues of office-seekers. We regard them with the contempt they deserve. We are weary of this question of slavery; it is a matter which does not concern us; and we wish only to attend to our business,

and leave the South to attend to their own affairs, without any interference from the North." [4]

In all this consideration, we have so far ignored the white workers of the South and we have done this because the labor movement ignored them and the abolitionists ignored them; and above all, they were ignored by Northern capitalists and Southern planters. They were in many respects almost a forgotten mass of men. Cairnes describes the slave South, the period just before the war:

"It resolves itself into three classes, broadly distinguished from each other, and connected by no common interest—the slaves on whom devolves all the regular industry, the slaveholders who reap all its fruits, and an idle and lawless rabble who live dispersed over vast plains in a condition little removed from absolute barbarism."

From all that has been written and said about the ante-bellum South, one almost loses sight of about 5,000,000 white people in 1860 who lived in the South and held no slaves. Even among the two million slaveholders, an oligarchy of 8,000 really ruled the South, while as an observer said: "For twenty years, I do not recollect ever to have seen or heard these non-slaveholding whites referred to by the Southern gentleman as constituting any part of what they called the South." [5] They were largely ignorant and degraded; only 25% could read and write.

The condition of the poor whites has been many times described:

"A wretched log hut or two are the only habitations in sight. Here reside, or rather take shelter, the miserable cultivators of the ground, or a still more destitute class who make a precarious living by peddling 'lightwood' in the city. . . .

"These cabins . . . are dens of filth. The bed if there be a bed is a layer of something in the corner that defies scenting. If the bed is nasty, what of the floor? What of the whole enclosed space? What of the creatures themselves? Pough! Water in use as a purifier is unknown. Their faces are bedaubed with the muddy accumulation of weeks. They just give them a wipe when they see a stranger to take off the blackest dirt. . . . The poor wretches seem startled when you address them, and answer your questions cowering like culprits." [6]

Olmsted said: "I saw as much close packing, filth and squalor, in certain blocks inhabited by laboring whites in Charleston, as I have witnessed in any Northern town of its size; and greater evidences of brutality and ruffianly character, than I have ever happened to see, among an equal population of this class, before." [7]

Two classes of poor whites have been differentiated: the mountain whites and the poor whites of the lowlands. "Below a dirty and ill-favored house, down under the bank on the shingle near the river, sits a family of five people, all ill-clothed and unclean; a blear-eyed old

woman, a younger woman with a mass of tangled red hair hanging about her shoulders, indubitably suckling a baby; a little girl with the same auburn evidence of Scotch ancestry; a boy, and a younger child all gathered about a fire made among some bricks, surrounding a couple of iron saucepans, in which is a dirty mixture looking like mud, but probably warmed-up sorghum syrup, which with a few pieces of corn pone, makes their breakfast.

"Most of them are illiterate and more than correspondingly ignorant. Some of them had Indian ancestors and a few bear evidences of Negro blood. The so-called 'mountain boomer,' says an observer, 'has little self-respect and no self-reliance. . . . So long as his corn pile lasts the "cracker" lives in contentment, feasting on a sort of hoe cake made of grated corn meal mixed with salt and water and baked before the hot coals, with addition of what game the forest furnishes him when he can get up the energy to go out and shoot or trap it. . . . The irregularities of their moral lives cause them no sense of shame. . . . But, notwithstanding these low moral conceptions, they are of an intense religious excitability.'" [8]

Above this lowest mass rose a middle class of poor whites in the making. There were some small farmers who had more than a mere sustenance and yet were not large planters. There were overseers. There was a growing class of merchants who traded with the slaves and free Negroes and became in many cases larger traders, dealing with the planters for the staple crops. Some poor whites rose to the professional class, so that the rift between the planters and the mass of the whites was partially bridged by this smaller intermediate class.

While revolt against the domination of the planters over the poor whites was voiced by men like Helper, who called for a class struggle to destroy the planters, this was nullified by deep-rooted antagonism to the Negro, whether slave or free. If black labor could be expelled from the United States or eventually exterminated, then the fight against the planter could take place. But the poor whites and their leaders could not for a moment contemplate a fight of united white and black labor against the exploiters. Indeed, the natural leaders of the poor whites, the small farmer, the merchant, the professional man, the white mechanic and slave overseer, were bound to the planters and repelled from the slaves and even from the mass of the white laborers in two ways: first, they constituted the police patrol who could ride with planters and now and then exercise unlimited force upon recalcitrant or runaway slaves; and then, too, there was always a chance that they themselves might also become planters by saving money, by investment, by the power of good luck; and the only heaven that attracted them was the life of the great Southern planter.

There were a few weak associations of white mechanics, such as printers and shipwrights and iron molders, in 1850-1860, but practically no labor movement in the South.

Charles Nordhoff states that he was told by a wealthy Alabaman, in 1860, that the planters in his region were determined to discontinue altogether the employment of free mechanics. "On my own place," he said, "I have slave carpenters, slave blacksmiths, and slave wheelwrights, and thus I am independent of free mechanics." And a certain Alfred E. Mathews remarks: "I have seen free white mechanics obliged to stand aside while their families were suffering for the necessaries of life, when the slave mechanics, owned by rich and influential men, could get plenty of work; and I have heard these same white mechanics breathe the most bitter curses against the institution of slavery and the slave aristocracy."

The resultant revolt of the poor whites, just as the revolt of the slaves, came through migration. And their migration, instead of being restricted, was freely encouraged. As a result, the poor whites left the South in large numbers. In 1860, 399,700 Virginians were living out of their native state. From Tennessee, 344,765 emigrated; from North Carolina, 272,606, and from South Carolina, 256,868. The majority of these had come to the Middle West and it is quite possible that the Southern states sent as many settlers to the West as the Northeastern states, and while the Northeast demanded free soil, the Southerners demanded not only free soil but the exclusion of Negroes from work and the franchise. They had a very vivid fear of the Negro as a competitor in labor, whether slave or free.

It was thus the presence of the poor white Southerner in the West that complicated the whole Free Soil movement in its relation to the labor movement. While the Western pioneer was an advocate of extreme democracy and equalitarianism in his political and economic philosophy, his vote and influence did not go to strengthen the abolition-democracy, before, during, or even after the war. On the contrary, it was stopped and inhibited by the doctrine of race, and the West, therefore, long stood against that democracy in industry which might have emancipated labor in the United States, because it did not admit to that democracy the American citizen of Negro descent.

Thus Northern workers were organizing and fighting industrial integration in order to gain higher wage and shorter hours, and more and more they saw economic salvation in the rich land of the West. A Western movement of white workers and pioneers began and was paralleled by a Western movement of planters and black workers in the South. Land and more land became the cry of the Southern political leader, with finally a growing demand for reopening of the African

slave trade. Land, more land, became the cry of the peasant farmer in the North. The two forces met in Kansas, and in Kansas civil war began.

The South was fighting for the protection and expansion of its agrarian feudalism. For the sheer existence of slavery, there must be a continual supply of fertile land, cheaper slaves, and such political power as would give the slave status full legal recognition and protection, and annihilate the free Negro. The Louisiana Purchase had furnished slaves and land, but most of the land was in the Northwest. The foray into Mexico had opened an empire, but the availability of this land was partly spoiled by the loss of California to free labor. This suggested a proposed expansion of slavery toward Kansas, where it involved the South in competition with white labor: a competition which endangered the slave status, encouraged slave revolt, and increased the possibility of fugitive slaves.

It was a war to determine how far industry in the United States should be carried on under a system where the capitalist owns not only the nation's raw material, not only the land, but also the laborer himself; or whether the laborer was going to maintain his personal freedom, and enforce it by growing political and economic independence based on widespread ownership of land.

This brings us down to the period of the Civil War. Up to the time that the war actually broke out, American labor simply refused, in the main, to envisage black labor as a part of its problem. Right up to the edge of the war, it was talking about the emancipation of white labor and the organization of stronger unions without saying a word, or apparently giving a thought, to four million black slaves. During the war, labor was resentful. Workers were forced to fight in a strife between capitalists in which they had no interest and they showed their resentment in the peculiarly human way of beating and murdering the innocent victims of it all, the black free Negroes of New York and other Northern cities; while in the South, five million non-slaveholding poor white farmers and laborers sent their manhood by the thousands to fight and die for a system that had degraded them equally with the black slave. Could one imagine anything more paradoxical than this whole situation?

America thus stepped forward in the first blossoming of the modern age and added to the Art of Beauty, gift of the Renaissance, and to Freedom of Belief, gift of Martin Luther and Leo X, a vision of democratic self-government: the domination of political life by the intelligent decision of free and self-sustaining men. What an idea and what an area for its realization—endless land of richest fertility, natural resources such as Earth seldom exhibited before, a population

infinite in variety, of universal gift, burned in the fires of poverty and caste, yearning toward the Unknown God; and self-reliant pioneers, unafraid of man or devil. It was the Supreme Adventure, in the last Great Battle of the West, for that human freedom which would release the human spirit from lower lust for mere meat, and set it free to dream and sing.

And then some unjust God leaned, laughing, over the ramparts of heaven and dropped a black man in the midst.

It transformed the world. It turned democracy back to Roman Imperialism and Fascism; it restored caste and oligarchy; it replaced freedom with slavery and withdrew the name of humanity from the vast majority of human beings.

But not without struggle. Not without writhing and rending of spirit and pitiable wail of lost souls. They said: Slavery was wrong but not all wrong; slavery must perish and not simply move; God made black men; God made slavery; the will of God be done; slavery to the glory of God and black men as his servants and ours; slavery as a way to freedom—the freedom of blacks, the freedom of whites; white freedom as the goal of the world and black slavery as the path thereto. Up with the white world, down with the black!

Then came this battle called Civil War, beginning in Kansas in 1854, and ending in the presidential election of 1876—twenty awful years. The slave went free; stood a brief moment in the sun; then moved back again toward slavery. The whole weight of America was thrown to color caste. The colored world went down before England, France, Germany, Russia, Italy and America. A new slavery arose. The upward moving of white labor was betrayed into wars for profit based on color caste. Democracy died save in the hearts of black folk.

Indeed, the plight of the white working class throughout the world today is directly traceable to Negro slavery in America, on which modern commerce and industry was founded, and which persisted to threaten free labor until it was partially overthrown in 1863. The resulting color caste founded and retained by capitalism was adopted, forwarded and approved by white labor, and resulted in subordination of colored labor to white profits the world over. Thus the majority of the world's laborers, by the insistence of white labor, became the basis of a system of industry which ruined democracy and showed its perfect fruit in World War and Depression. And this book seeks to tell that story.

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Have ye leisure, comfort, calm,
Shelter, food, love's gentle balm?

Or what is it ye buy so dear
With your pain and with your fear?

The seed ye sow, another reaps;
The wealth ye find, another keeps;
The robes ye weave, another wears;
The arms ye forge, another bears.

PERCY BYSSHE SHELLEY

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1. Schlüter, *Lincoln, Labor and Slavery,* p. 66.
2. Campbell, *Negromania,* p. 545.
3. Schlüter, *Lincoln, Labor and Slavery,* pp. 72, 73.
4. Schlüter, *Lincoln, Labor and Slavery,* p. 135.
5. Schlüter, *Lincoln, Labor and Slavery,* p. 86.
6. Simkins and Woody, *South Carolina During Reconstruction,* p. 326.
7. Olmsted, *Seaboard Slave States,* p. 404.
8. Hart, *The Southern South,* pp. 34, 35.

# III. THE PLANTER

How seven per cent of a section within a nation ruled five million white people and owned four million black people and sought to make agriculture equal to industry through the rule of property without yielding political power or education to labor

Seven per cent of the total population of the South in 1860 owned nearly 3 million of the 3,953,696 slaves. There was nearly as great a concentration of ownership in the best agricultural land. This meant that in a country predominantly agricultural, the ownership of labor, land and capital was extraordinarily concentrated. Such peculiar organization of industry would have to be carefully reconciled with the new industrial and political democracy of the nineteenth century if it were to survive.

Of the five million whites who owned no slaves some were united in interest with the slave owners. These were overseers, drivers and dealers in slaves. Others were hirers of white and black labor, and still others were merchants and professional men, forming a petty bourgeois class, and climbing up to the planter class or falling down from it. The mass of the poor whites, as we have shown, were economic outcasts.

Colonial Virginia declared its belief in natural and inalienable rights, popular sovereignty, and government for the common good, even before the Declaration of Independence. But it soon became the belief of doctrinaires, and not a single other Southern state enacted these doctrines of equality until after the Civil War. The Reconstruction constitutions incorporated them; but quite logically, South Carolina repudiated its declaration in 1895.

The domination of property was shown in the qualifications for office and voting in the South. Southerners and others in the Constitutional Convention asked for property qualifications for the President of the United States, the federal judges, and Senators. Most Southern state governments required a property qualification for the Governor, and in South Carolina, he must be worth ten thousand pounds. Members of the legislature must usually be landholders.

Plural voting was allowed as late as 1832. The requirement of the ownership of freehold land for officeholders operated to the disadvantage of merchants and mechanics. In North Carolina, a man must

own 50 acres to vote for Senator, and in 1828, out of 250 voters at Wilmington, only 48 had the qualifications to vote for Senator. Toward the time of the Civil War many of these property qualifications disappeared.

Into the hands of the slaveholders the political power of the South was concentrated, by their social prestige, by property ownership and also by their extraordinary rule of the counting of all or at least three-fifths of the Negroes as part of the basis of representation in the legislature. It is singular how this "three-fifths" compromise was used, not only to degrade Negroes in theory, but in practice to disfranchise the white South. Nearly all of the Southern states began with recognizing the white population as a basis of representation; they afterward favored the black belt by direct legislation or by counting three-fifths of the slave population, and then finally by counting the whole black population; or they established, as in Virginia and South Carolina, a "mixed" basis of representation, based on white population and on property; that is, on land and slaves.

In the distribution of seats in the legislature, this manipulation of political power appears. In the older states representatives were assigned arbitrarily to counties, districts and towns, with little regard to population. This was for the purpose of putting the control in the hands of wealthy planters. Variations from this were the basing of representation on the white population in one House, and taxation in the other, or the use of the Federal proportion; that is, free persons and three-fifths of the slaves, or Federal proportion and taxation combined. These were all manipulated so as to favor the wealthy planters. The commercial class secured scant representation as compared with agriculture.

"It is a fact that the political working of the state [of South Carolina] is in the hands of one hundred and fifty to one hundred and eighty men. It has taken me six months to appreciate the *entireness* of the fact, though of course I had heard it stated." *

In all cases, the slaveholder practically voted both for himself and his slaves and it was not until 1850 and particularly after the war that there were signs of self-assertion on the part of the poor whites to break this monopoly of power. Alabama, for instance, in 1850, based representation in the general assembly upon the white inhabitants, after thirty years of counting the whole white and black population. Thus the Southern planters had in their hands from 1820 to the Civil War political power equivalent to one or two million freemen in the North.

They fought bitterly during the early stages of Reconstruction to retain this power for the whites, while at the same time granting no political power to the blacks. Finally and up to this day, by mak-

ing good their efforts to disfranchise the blacks, the political heirs of the planters still retain for themselves this added political representation as a legacy from slavery, and a power to frustrate all third party movements.

Thus, the planters who owned from fifty to one thousand slaves and from one thousand to ten thousand acres of land came to fill the whole picture in the South, and literature and the propaganda which is usually called history have since exaggerated that picture. The planter certainly dominated politics and social life—he boasted of his education, but on the whole, these Southern leaders were men singularly ignorant of modern conditions and trends and of their historical background. All their ideas of gentility and education went back to the days of European privilege and caste. They cultivated a surface acquaintance with literature and they threw Latin quotations even into Congress. Some few had a cultural education at Princeton and at Yale, and to this day Princeton refuses to receive Negro students, and Yale has admitted a few with reluctance, as a curious legacy from slavery.

Many Southerners traveled abroad and the fashionable European world met almost exclusively Americans from the South and were favorably impressed by their manners which contrasted with the gaucherie of the average Northerner. A Southerner of the upper class could enter a drawing room and carry on a light conversation and eat according to the rules, on tables covered with silver and fine linen. They were "gentlemen" according to the older and more meager connotation of the word.

Southern women of the planter class had little formal education; they were trained in dependence, with a smattering of French and music; they affected the latest European styles; were always described as "beautiful" and of course must do no work for a living except in the organization of their households. In this latter work, they were assisted and even impeded by more servants than they needed. The temptations of this sheltered exotic position called the finer possibilities of womanhood into exercise only in exceptional cases. It was the woman on the edge of the inner circles and those of the struggling poor whites who sought to enter the ranks of the privileged who showed superior character.

Most of the planters, like most Americans, were of humble descent, two or three generations removed. Jefferson Davis was a grandson of a poor Welsh immigrant. Yet the Southerner's assumptions impressed the North and although most of them were descended from the same social classes as the Yankees, yet the Yankees had more recently been reënforced by immigration and were strenuous, hard-working

men, ruthlessly pushing themselves into the leadership of the new industry. Such folk not only "love a lord," but even the fair imitation of one.

The leaders of the South had leisure for good breeding and high living, and before them Northern society abased itself and flattered and fawned over them. Perhaps this, more than ethical reasons, or even economic advantage, made the way of the abolitionist hard. In New York, Saratoga, Philadelphia and Cincinnati, a slave baron, with his fine raiment, gorgeous and doll-like women and black flunkies, quite turned the heads of Northern society. Their habits of extravagance impressed the nation for a long period. Much of the waste charged against Reconstruction arose from the attempt of the post-war population, white and black, to imitate the manners of a slave-nurtured gentility, and this brought furious protest from former planters; because while planters spent money filched from the labor of black slaves, the poor white and black leaders of Reconstruction spent taxes drawn from recently impoverished planters.

From an economic point of view, this planter class had interest in consumption rather than production. They exploited labor in order that they themselves should live more grandly and not mainly for increasing production. Their taste went to elaborate households, well-furnished and hospitable; they had much to eat and drink; they consumed large quantities of liquor; they gambled and caroused and kept up the habit of dueling well down into the nineteenth century. Sexually they were lawless, protecting elaborately and flattering the virginity of a small class of women of their social clan, and keeping at command millions of poor women of the two laboring groups of the South.

Sexual chaos was always the possibility of slavery, not always realized but always possible: polygamy through the concubinage of black women to white men; polyandry between black women and selected men on plantations in order to improve the human stock of strong and able workers. The census of 1860 counted 588,352 persons obviously of mixed blood—a figure admittedly below the truth.

"Every man who resides on his plantation may have his harem, and has every inducement of custom, and of pecuniary gain [The law declares that the children of slaves are to follow the fortunes of the mother. Hence the practice of planters selling and bequeathing their own children.], to tempt him to the common practice. Those who, notwithstanding, keep their homes undefiled may be considered as of incorruptible purity."[1]

Mrs. Trollope speaks of the situation of New Orleans' mulattoes:

"Of all the prejudices I have ever witnessed, this appears to us the

most violent, and the most inveterate. Quadroon girls, the acknowledged daughters of wealthy American or Creole fathers, educated with all the style and accomplishments which money can procure at New Orleans, and with all the decorum that care and affection can give—exquisitely beautiful, graceful, gentle, and amiable, are not admitted, nay, are not on any terms admissible, into the society of the Creole families of Louisiana. They cannot marry; that is to say, no ceremony can render any union with them legal or binding." [2]

"It is known by almost everybody who has heard of the man, Richard M. Johnson, a Democratic Vice-President of the United States, that he had colored daughters of whom he was proud; and his was not an exceptional case." [3] Several Presidents of the United States have been accused of racial catholicity in sex.

And finally, one cannot forget that bitter word attributed to a sister of a President of the United States: "We Southern ladies are complimented with names of wives; but we are only mistresses of seraglios." [4]

What the planters wanted was income large enough to maintain the level of living which was their ideal. Naturally, only a few of them had enough for this, and the rest, striving toward it, were perpetually in debt and querulously seeking a reason for this indebtedness outside themselves. Since it was beneath the dignity of a "gentleman" to encumber himself with the details of his finances, this lordly excuse enabled the planter to place between himself and the black slave a series of intermediaries through whom bitter pressure and exploitation could be exercised and large crops raised. For the very reason that the planters did not give attention to details, there was wide tendency to commercialize their growing business of supplying raw materials for an expanding modern industry. They were the last to comprehend the revolution through which that industry was passing and their efforts to increase income succeeded only at the cost of raping the land and degrading the laborers.

Theoretically there were many ways of increasing the income of the planter; practically there was but one. The planter might sell his crops at higher prices; he might increase his crop by intensive farming, or he might reduce the cost of handling and transporting his crops; he might increase his crops by making his laborers work harder and giving them smaller wages. In practice, the planter, so far as prices were concerned, was at the mercy of the market. Merchants and manufacturers by intelligence and close combination set the current prices of raw material. Their power thus exercised over agriculture was not unlimited but it was so large, so continuous and so steadily and intelligently exerted that it gradually reduced agri-

culture to a subsidiary industry whose returns scarcely supported the farmer and his labor.

The Southern planter in the fifties was in a key position to attempt to break and arrest the growth of this domination of all industry by trade and manufacture. But he was too lazy and self-indulgent to do this and he would not apply his intelligence to the problem. His capitalistic rivals of the North were hard-working, simple-living zealots devoting their whole energy and intelligence to building up an industrial system. They quickly monopolized transport and mines and factories and they were more than willing to include the big plantations. But the planter wanted results without effort. He wanted large income without corresponding investment and he insisted furiously upon a system of production which excluded intelligent labor, machinery, and modern methods. He toyed with the idea of local manufactures and ships and railroads. But this entailed too much work and sacrifice.

The result was that Northern and European industry set prices for Southern cotton, tobacco and sugar which left a narrow margin of profit for the planter. He could retaliate only by more ruthlessly exploiting his slave labor so as to get the largest crops at the least expense. He was therefore not deliberately cruel to his slaves, but he had to raise cotton enough to satisfy his pretensions and self-indulgence, even if it brutalized and commercialized his slave labor.

Thus slavery was the economic lag of the 16th century carried over into the 19th century and bringing by contrast and by friction moral lapses and political difficulties. It has been estimated that the Southern states had in 1860 three billion dollars invested in slaves, which meant that slaves and land represented the mass of their capital. Being generally convinced that Negroes could only labor as slaves, it was easy for them to become further persuaded that slaves were better off than white workers and that the South had a better labor system than the North, with extraordinary possibilities in industrial and social development.

The argument went like this: raw material like cotton, tobacco, sugar, rice, together with other foodstuffs formed the real wealth of the United States, and were produced by the Southern states. These crops were sold all over the world and were in such demand that the industry of Europe depended upon them. The trade with Europe must be kept open so that the South might buy at the lowest prices such manufactured goods as she wanted, and she must oppose all Northern attempts to exalt industry at the expense of agriculture.

The North might argue cogently that industry and manufacture could build up in the United States a national economy. Writers on

economics began in Germany and America to elaborate and insist upon the advantages of such a system; but the South would have none of it. It meant not only giving the North a new industrial prosperity, but doing this at the expense of England and France; and the Southern planters preferred Europe to Northern America. They not only preferred Europe for social reasons and for economic advantages, but they sensed that the new power of monopolizing and distributing capital through a national banking system, if permitted in the North in an expanding industry, would make the North an even greater financial dictator of the South than it was at the time.

The South voiced for the Southern farmer, in 1850, words almost identical with those of the Western farmer, seventy-five years later. "All industry," declared one Southerner, "is getting legislative support against agriculture, and thus the profits are going to manufacture and trade, and these concentrated in the North stand against the interests of the South."

It could not, perhaps, be proven that the Southern planter, had he been educated in economics and history, and had he known the essential trends of the modern world, could have kept the Industrial Revolution from subordinating agriculture and reducing it to its present vasssalage to manufacturing. But it is certain that an enlightened and far-seeing agrarianism under the peculiar economic circumstances of the United States during the first half of the nineteenth century could have essentially modified the economic trend of the world.

The South with free rich land and cheap labor had the monopoly of cotton, a material in universal demand. If the leaders of the South, while keeping the consumer in mind, had turned more thoughtfully to the problem of the American producer, and had guided the production of cotton and food so as to take every advantage of new machinery and modern methods in agriculture, they might have moved forward with manufacture and been able to secure an approximately large amount of profit. But this would have involved yielding to the demands of modern labor: opportunity for education, legal protection of women and children, regulation of the hours of work, steadily increasing wages and the right to some voice in the administration of the state if not in the conduct of industry.

The South had but one argument against following modern civilization in this yielding to the demand of laboring humanity: it insisted on the efficiency of Negro labor for ordinary toil and on its essential equality in physical condition with the average labor of Europe and America. But in order to maintain its income without sacrifice or exertion, the South fell back on a doctrine of racial differences which it asserted made higher intelligence and increased efficiency impos-

sible for Negro labor. Wishing such an excuse for lazy indulgence, the planter easily found, invented and proved it. His subservient religious leaders reverted to the "Curse of Canaan"; his pseudo-scientists gathered and supplemented all available doctrines of race inferiority; his scattered schools and pedantic periodicals repeated these legends, until for the average planter born after 1840 it was impossible not to believe that all valid laws in psychology, economics and politics stopped with the Negro race.

The espousal of the doctrine of Negro inferiority by the South was primarily because of economic motives and the inter-connected political urge necessary to support slave industry; but to the watching world it sounded like the carefully thought out result of experience and reason; and because of this it was singularly disastrous for modern civilization in science and religion, in art and government, as well as in industry. The South could say that the Negro, even when brought into modern civilization, could not be civilized, and that, therefore, he and the other colored peoples of the world were so far inferior to the whites that the white world had a right to rule mankind for their own selfish interests.

Never in modern times has a large section of a nation so used its combined energies to the degradation of mankind. The hurt to the Negro in this era was not only his treatment in slavery; it was the wound dealt to his reputation as a human being. Nothing was left; nothing was sacred; and while the best and more cultivated and more humane of the planters did not themselves always repeat the calumny, they stood by, consenting by silence, while blatherskites said things about Negroes too cruelly untrue to be the word of civilized men. Not only then in the forties and fifties did the word Negro lose its capital letter, but African history became the tale of degraded animals and sub-human savages, where no vestige of human culture found foothold.

Thus a basis in reason, philanthropy and science was built up for Negro slavery. Judges on the bench declared that Negro servitude was to last, "if the apocalypse be not in error, until the end of time." The Atlanta *Daily Intelligencer* of January 9, 1860, said, "We can't see for the life of us how anyone understanding fully the great principle that underlies our system of involuntary servitude, can discover any monstrosity in subjecting a Negro to slavery of a white man. We contend on the contrary that the monstrosity, or, at least, the unnaturalness in this matter, consists in finding Negroes anywhere in white communities not under the control of the whites. Whenever we see a Negro, we presuppose a master, and if we see him in what is commonly called a 'free state,' we consider him out of his place.

This matter of manumission, or emancipation 'now, thank heaven, less practiced than formerly,' is a species of false philanthropy, which we look upon as a cousin-German to Abolitionism—bad for the master, worse for the slave."

Beneath this educational and social propaganda lay the undoubted evidence of the planter's own expenses. He saw ignorant and sullen labor deliberately reducing his profits. In fact, he always faced the negative attitude of the general strike. Open revolt of slaves—refusal to work—could be met by beating and selling to the harsher methods of the deep South and Southwest as punishment. Running away could be curbed by law and police. But nothing could stop the dogged slave from doing just as little and as poor work as possible. All observers spoke of the fact that the slaves were slow and churlish; that they wasted material and malingered at their work. Of course, they did. This was not racial but economic. It was the answer of any group of laborers forced down to the last ditch. They might be made to work continuously but no power could make them work well.

If the European or Northern laborer did not do his work properly and fast enough, he would lose the job. The black slave could not lose his job. If the Northern laborer got sick or injured, he was discharged, usually without compensation; the black slave could not be discharged and had to be given some care in sicknesses, particularly if he represented a valuable investment. The Northern and English employer could select workers in the prime of life and did not have to pay children too young to work or adults too old. The slave owner had to take care of children and old folk, and while this did not cost much on a farm or entail any great care, it did seriously cut down the proportion of his effective laborers, which could only be balanced by the systematic labor of women and children. The children ran loose with only the most general control, getting their food with the other slaves. The old folk foraged for themselves. Now and then they were found dead of neglect, but usually there was no trouble in their getting at least food enough to live and some rude shelter.

The economic difficulties that thus faced the planter in exploiting the black slave were curious. Contrary to the trend of his age, he could not use higher wage to induce better work or a larger supply of labor. He could not allow his labor to become intelligent, although intelligent labor would greatly increase the production of wealth. He could not depend on voluntary immigration unless the immigrants be slaves, and he must bear the burden of the old and sick and could only balance this by child labor and the labor of women.

The use of slave women as day workers naturally broke up or made impossible the normal Negro home and this and the slave code led

to a development of which the South was really ashamed and which it often denied, and yet perfectly evident: the raising of slaves in the Border slave states for systematic sale on the commercialized cotton plantations.

The ability of the slaveholder and landlord to sequester a large share of the profits of slave labor depended upon his exploitation of that labor, rather than upon high prices for his product in the market. In the world market, the merchants and manufacturers had all the advantage of unity, knowledge and purpose, and could hammer down the price of raw material. The slaveholder, therefore, saw Northern merchants and manufacturers enrich themselves from the results of Southern agriculture. He was angry and used all of his great political power to circumvent it. His only effective economic movement, however, could take place against the slave. He was forced, unless willing to take lower profits, continually to beat down the cost of his slave labor.

But there was another motive which more and more strongly as time went on compelled the planter to cling to slavery. His political power was based on slavery. With four million slaves he could balance the votes of 2,400,000 Northern voters, while in the inconceivable event of their becoming free, their votes would outnumber those of his Northern opponents, which was precisely what happened in 1868.

As the economic power of the planter waned, his political power became more and more indispensable to the maintenance of his income and profits. Holding his industrial system secure by this political domination, the planter turned to the more systematic exploitation of his black labor. One method called for more land and the other for more slaves. Both meant not only increased crops but increased political power. It was a temptation that swept greed, religion, military pride and dreams of empire to its defense. There were two possibilities. He might follow the old method of the early West Indian sugar plantations: work his slaves without regard to their physical condition, until they died of over-work or exposure, and then buy new ones. The difficulty of this, however, was that the price of slaves, since the attempt to abolish the slave trade, was gradually rising. This in the deep South led to a strong and gradually increasing demand for the reopening of the African slave trade, just as modern industry demands cheaper and cheaper coolie labor in Asia and half-slave labor in African mines.

The other possibility was to find continual increments of new, rich land upon which ordinary slave labor would bring adequate return. This land the South sought in the Southeast; then beyond the Mississippi in Louisiana and Texas, then in Mexico, and finally, it turned

its face in two directions: toward the Northwestern territories of the United States and toward the West Indian islands and South America. The South was drawn toward the West by two motives: first the possibility that slavery in Kansas, Colorado, Utah and Nevada would be at least as profitable as in Missouri, and secondly to prevent the expansion of free labor there and its threat to slavery. This challenge was a counsel of despair in the face of modern industrial development and probably the radical South expected defeat in the West and hoped the consequent resentment among the slaveholders would set the South toward a great slave empire in the Caribbean. Jefferson Davis was ready to reopen the African slave trade to any future acquisition south of the Rio Grande.

This brought the South to war with the farmers and laborers in the North and West, who wanted free soil but did not want to compete with slave labor. The fugitive slave law of 1850 vastly extended Federal power so as to nullify state rights in the North. The Compromise of 1850 permitted the extension of slavery into the territories, and the Kansas-Nebraska Bill, 1854, deprived Congress of the right to prohibit slavery anywhere. This opened the entire West to slavery. War followed in Kansas. Slaveholders went boldly into Kansas, armed and organized:

"The invaders went in such force that the scattered and unorganized citizens could make no resistance and in many places they did not attempt to vote, seeing the polls surrounded by crowds of armed men who they knew came from Missouri to control the election and the leaders of the invaders kept their men under control, being anxious to prevent needless violence, as any serious outbreak would attract the attention of the country. In some districts the actual citizens protested against the election and petitioned the governor to set it aside and order another.

"We can tell the impertinent scoundrels of the *Tribune* that we will continue to lynch and hang, to tar and feather and drown every white-livered Abolitionist who dares to pollute our soil." [5] Shut out from the United States territories by the Free Soil movement, the South determined upon secession with the distinct idea of eventually expanding into the Caribbean.

There was, however, the opposition in the Border States. The employers of labor in the Border States had found a new source of revenue. They did not like to admit it. They surrounded it with a certain secrecy, and it was exceedingly bad taste for any Virginia planter to have it indicated that he was deliberately raising slaves for sale; and yet that was a fact.

In no respect are the peculiar psychological difficulties of the plant-

ers better illustrated than with regard to the interstate slave trade. The theory was clear and lofty; slaves were a part of the family—"my people," George Washington called them. Under ordinary circumstances they were never to be alienated, but supported during good behavior and bad, punished and corrected for crime and misdemeanor, rewarded for good conduct. It was the patriarchal clan translated into modern life, with social, religious, economic and even blood ties.

This was the theory; but as a matter of fact, the cotton planters were supplied with laborers by the Border States. A laboring stock was deliberately bred for legal sale. A large number of persons followed the profession of promoting this sale of slaves. There were markets and quotations, and the stream of black labor, moving continuously into the South, reached yearly into the thousands.

Notwithstanding these perfectly clear and authenticated facts, the planter persistently denied them. He denied that there was any considerable interstate sale of slaves; he denied that families were broken up; he insisted that slave auctions were due to death or mischance, and particularly did he insist that the slave traders were the least of human beings and most despised.

This deliberate contradiction of plain facts constitutes itself a major charge against slavery and shows how the system often so affronted the moral sense of the planters themselves that they tried to hide from it. They could not face the fact of Negro women as brood mares and of black children as puppies.

Indeed, while we speak of the planters as one essentially unvarying group, there is evidence that the necessities of their economic organization were continually changing and deteriorating their morale and pushing forward ruder, noisier, less cultivated elements than characterized the Southern gentleman of earlier days. Certainly, the cursing, brawling, whoring gamblers who largely represented the South in the late fifties, evidenced the inevitable deterioration that overtakes men when their desire for income and extravagance overwhelms their respect for human beings. Thus the interstate slave trade grew and flourished and the demand for the African slave trade was rapidly becoming irresistible in the late fifties.

From fifty to eighty thousand slaves went from the Border States to the lower South in the last decade of slavery. One planter frankly said that he "calculated that the moment a colored baby was born, it was worth to him $300." So far as possible, the planters in selling off their slaves avoided the breaking up of families. But they were facing flat economic facts. The persons who were buying slaves in the cotton belt were not buying families, they were buying workers, and thus by economic demand families were continually and regularly broken

up; the father was sold away; the mother and the half-grown children separated, and sometimes smaller children were sold. One of the subsequent tragedies of the system was the frantic efforts, before and after emancipation, of Negroes hunting for their relatives throughout the United States.

A Southerner wrote to Olmsted: "In the states of Maryland, Virginia, North Carolina, Kentucky, Tennessee and Missouri, as much attention is paid to the breeding and growth of Negroes as to that of horses and mules. Further south, we raise them both for use and for market. Planters command their girls and women (married or unmarried) to have children; and I have known a great many Negro girls to be sold off because they did not have children. A breeding woman is worth from one-sixth to one-fourth more than one that does not breed."

Sexual chaos arose from economic motives. The deliberate breeding of a strong, big field-hand stock could be carried out by selecting proper males, and giving them the run of the likeliest females. This in many Border States became a regular policy and fed the slave trade. Child-bearing was a profitable occupation, which received every possible encouragement, and there was not only no bar to illegitimacy, but an actual premium put upon it. Indeed, the word was impossible of meaning under the slave system.

Moncure D. Conway, whose father was a slaveholder near Fredericksburg, Virginia, wrote: "As a general thing, the chief pecuniary resource in the Border States is the breeding of slaves; and I grieve to say that there is too much ground for the charges that general licentiousness among the slaves, for the purpose of a large increase, is compelled by some masters and encouraged by many. The period of maternity is hastened, the average youth of Negro mothers being nearly three years earlier than that of any free race, and an old maid is utterly unknown among the women."

J. E. Cairnes, the English economist, in his passage with Mr. McHenry on this subject, computed from reliable data that Virginia had bred and exported to the cotton states between the years of 1840 and 1850 no less than 100,000 slaves, which at $500 per head would have yielded her $50,000,000.

The law sometimes forbade the breaking up of slave families but:

"Not one of these prohibitions, save those of Louisiana, and they but slightly, in any way referred to or hampered the owner of unencumbered slave property: he might sell or pawn or mortgage or give it away according to profit or whim, regardless of age or kinship.

"Elsewhere in the typical South—in Virginia, North Carolina, South Carolina, Tennessee, Arkansas and Texas—there seems to have been

no restriction of any sort against separating mothers and children or husbands and wives or selling children of any age. Slavery was, indeed, a 'peculiar institution.' " [6]

The slave-trading Border States, therefore, in their own economic interest, frantically defended slavery, yet opposed the reopening of the African slave trade to which the Southern South was becoming more and more attracted. This slave trade had curious psychological effects upon the planter. When George Washington sold a slave to the West Indies for one hogshead "of best rum" and molasses and sweetmeats, it was because "this fellow is both a rogue and a runaway." [7]

Thus tradition grew up that the sale of a slave from a gentleman's plantation was for special cause. As time went on and slavery became systematized and commercialized under the Cotton Kingdom, this was absolutely untrue. The "buying or selling of slaves was not viewed as having any taint of 'hated' slave-trading; yet it early became a fully credited tradition, implicitly accepted generation after generation, that 'all traders were hated.' " [8]

The sacrifices necessary for economic advance, Southern planters were on the whole too selfish and too provincial to make. They would not in any degree curtail consumption in order to furnish at least part of the necessary increase of capital and make dependence upon debt to the North and to Europe less necessary. They did not socialize the ownership of the slave on any large scale or educate him in technique; they did not encourage local and auxiliary industry or manufacture, and thus make it possible for their own profit to exploit white labor and give it an economic foothold. This would have involved, to be sure, increased recognition of democracy, and far from yielding to any such inevitable development, the South threw itself into the arms of a reaction at least two centuries out of date. Governor McDuffie of South Carolina called the laboring class, bleached or unbleached, a "dangerous" element in the population.

A curious argument appeared in the *Charleston Mercury* of 1861:

"Within ten years past as many as ten thousand slaves have been drawn away from Charleston by the attractive prices of the West, and [white] laborers from abroad have come to take their places. These laborers have every disposition to work above the slave, and if there were opportunity, would be glad to do so; but without such opportunity they come into competition with him; they are necessarily restive to the contact. Already there is disposition to exclude him from the trades, from public works, from drays, and the tables of the hotels; he is even now excluded to a great extent, and . . . when more laborers . . . shall come in greater numbers to the South,

they will still more increase the tendency to exclusion; they will question the right of masters to employ their slaves in any work that they may wish for; they will invoke the aid of legislation; they will use the elective franchise to that end; they will acquire the power to determine municipal elections; they will inexorably use it; and thus the town of Charleston, at the very heart of slavery, may become a fortress of democratic power against it."

The planters entirely misconceived the extent to which democracy was spreading in the North. They thought it meant that the laboring class was going to rule the North for labor's own economic interests. Even those who saw the seamy side of slavery were convinced of the rightness of the system because they believed that there were seeds of disaster in the North against which slavery would be their protection; "indications that these are already beginning to be felt or anticipated by prophetic minds, they think they see in the demands for 'Land Limitation,' in the anti-rent troubles, in strikes of workmen, in the distress of emigrants at the eddies of their current, in diseased philanthropy, in radical democracy, and in the progress of socialistic ideas in general. 'The North,' say they, 'has progressed under the high pressure of unlimited competition; as the population grows denser, there will be terrific explosions, disaster, and ruin, while they will ride quietly and safely at the anchor of slavery.'" [9]

Thus the planters of the South walked straight into the face of modern economic progress. The North had yielded to democracy, but only because democracy was curbed by a dictatorship of property and investment which left in the hands of the leaders of industry such economic power as insured their mastery and their profits. Less than this they knew perfectly well they could not yield, and more than this they would not. They remained masters of the economic destiny of America.

In the South, on the other hand, the planters walked in quite the opposite direction, excluding the poor whites from nearly every economic foothold with apparently no conception of the danger of these five million workers who, in time, overthrew the planters and utterly submerged them after the Civil War; and the South was equally determined to regard its four million slaves as a class of submerged workers and to this ideal they and their successors still cling.

Calhoun once said with perfect truth: There has never yet existed "a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other." Governor McDuffie of South Carolina said: "God forbid that my descendants, in the remotest generations, should live in any other than a community having the institution of domestic slavery." [10]

The South elected to make its fight through the political power which it possessed because of slavery and the disfranchisement of the poor whites. It had in American history chosen eleven out of sixteen Presidents, seventeen out of twenty-eight Judges of the Supreme Court, fourteen out of nineteen Attorneys-General, twenty-one out of thirty-three Speakers of the House, eighty out of one hundred thirty-four Foreign Ministers. It demanded a fugitive slave law as strong as words could make it and it was offered constitutional guarantees which would have made it impossible for the North to meddle with the organization of the slave empire.

The South was assured of all the territory southwest of Missouri and as far as California. It might even have extended its imperialistic sway toward the Caribbean without effective opposition from the North or Europe. The South had conquered Mexico without help and beyond lay the rest of Mexico, the West Indies and South America, open to Southern imperialistic enterprise. The South dominated the Army and Navy. It argued that a much larger proportion of the population could go to war in the South than in the North. There might, of course, be danger of slave insurrection in a long war with actual invasion, but the possibility of a long war or any war at all Southerners discounted, and they looked confidently forward to being either an independent section of the United States or an independent country with a stable economic foundation which could dictate its terms to the modern world on the basis of a monopoly of cotton, and a large production of other essential raw materials.

The South was too ignorant to know that their only chance to establish such economic dictatorship and place themselves in a key economic position was through a national economy, in a large nation where a home market would absorb a large proportion of the production, and where agriculture, led by men of vision, could demand a fair share of profit from industry.

When, therefore, the planters surrendered this chance and went to war with the machine to establish agricultural independence, they lost because of their internal weakness. Their whole labor class, black and white, went into economic revolt. The breach could only have been healed by making the same concessions to labor that France, England, Germany and the North had made. There was no time for such change in the midst of war. Northern industry must, therefore, after the war, make the adjustment with labor which Southern agriculture refused to make. But the loss which agriculture sustained through the stubbornness of the planters led to the degradation of agriculture throughout the modern world.

Due to the stubbornness of the South and the capitalism of the

West, we have had built up in the world an agriculture with a minimum of machines and new methods, conducted by ignorant labor and producing raw materials used by industry equipped with machines and intelligent labor, and conducted by shrewd business men. The result has been that a disproportionate part of the profit of organized work has gone to industry, while the agricultural laborer has descended toward slavery. The West, instead of becoming a country of peasant proprietors who might have counteracted this result, surrendered itself hand and foot to capitalism and speculation in land.

The abolition of American slavery started the transportation of capital from white to black countries where slavery prevailed, with the same tremendous and awful consequences upon the laboring classes of the world which we see about us today. When raw material could not be raised in a country like the United States, it could be raised in the tropics and semi-tropics under a dictatorship of industry, commerce and manufacture and with no free farming class.

The competition of a slave-directed agriculture in the West Indies and South America, in Africa and Asia, eventually ruined the economic efficiency of agriculture in the United States and in Europe and precipitated the modern economic degradation of the white farmer, while it put into the hands of the owners of the machine such a monopoly of raw material that their domination of white labor was more and more complete.

The crisis came in 1860, not so much because Abraham Lincoln was elected President on a platform which refused further land for the expansion of slavery, but because the cotton crop of 1859 reached the phenomenal height of five million bales as compared with three million in 1850. To this was added the threat of radical abolition as represented by John Brown. The South feared these social upheavals but it was spurred to immediate action by the great cotton crop. Starting with South Carolina, the Southern cotton-raising and slave-consuming states were forced out of the Union.

Their reason for doing this was clearly stated and reiterated. For a generation, belief in slavery was the Southern shibboleth:

"A suspicion of heresy on the subject of the 'peculiar institution' was sufficient to declare the ineligibility of any candidate for office; nay, more, orthodoxy began to depend upon the correct attitude toward the doctrine of 'Squatter Sovereignty' and the extreme view held as to Federal protection of slavery in the territories." [11]

Jefferson Davis said that the North was "impairing the security of property and slaves and reducing those states which held slaves to a condition of inferiority."

Senator Toombs said that property and slaves must be entitled to

the same protection from the government as any other property. The South Carolina convention arraigned the North for increasing hostility "to the institution of slavery," and declared for secession because the North had assumed the right of deciding upon the propriety of Southern domestic institutions.

Governor R. C. Wickliffe in his message at the extra session of the legislature of Louisiana expressed his belief that the election was "a deliberate design to pervert the powers of the Government to the immediate injury and ultimate destruction of the peculiar institution of the South."[12]

Slidel's farewell speech in the *Congressional Globe* of February 5, 1861:

"We separate," he said, "because of the hostility of Lincoln to our institutions. . . . If he were inaugurated without our consent there would be slave insurrections in the South."[13]

The Alabama Commissioner to Maryland arraigned the Lincoln government as proposing not "to recognize the right of the Southern citizens to property in the labor of African slaves." The Governor of Alabama arraigned the Republicans for desiring "the destruction of the institution of slavery."

In the Southern Congress, at Montgomery on the 2d of February, 1861, Senator Wigfall, from Texas, said that he was fighting for slavery, and for nothing else. The patent of nobility is in the color of the skin. He wanted to live in no country in which a man who blacked his boots and curried his horse was his equal. Give Negroes muskets and make them soldiers, and the next subject introduced for discussion will be miscegenation.[14] And finally, Alexander H. Stephens, Vice President of the Confederacy, stated fully the philosophy of the new Confederate government: "The new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—African slavery as it exists among us—the proper status of the Negro in our form of civilization. *This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the 'rock upon which the old union would split.'* He was right. What was conjecture with him is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was that, somehow or other, in the order of Providence, the institution would be

evanescent and pass away. . . . Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the 'storm came and the winds blew, it fell.'

"Our new government is founded upon exactly the opposite idea, its foundations are laid, its corner-stone rests upon the great truth that the Negro is not equal to the white man. That slavery—subordination to the superior race—is his natural and normal condition. This, our new government, is the first in the history of the world, based upon this great physical and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. . . .

"Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests. It is the first government ever instituted upon principles of strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of certain classes; but the classes thus enslaved, were of the same race, and in violation of the laws of nature. Our system commits no such violation of nature's laws. The Negro, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper materials, the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. For His own purposes He has made one race to differ from another, as He has had 'one star to differ from another star in glory.'" [15]

The rift between the Southern South and the Border States was bridged by omission of all reference to the reopening of the slave trade and stressing the reality of the Northern attack upon the institution of slavery itself.

The movement against the slave trade laws in the Southern South was strong and growing. In 1854, a grand jury in the Williamsburg district of South Carolina declared: "As our unanimous opinion, that the Federal law abolishing the African Slave Trade is a public griev-

ance. We hold this trade has been and would be, if reëstablished, a blessing to the American people and a benefit to the African himself."

Two years later, the Governor of the state in his annual message argued for a reopening of the trade and declared: "If we cannot supply the demand for slave labor, then we must expect to be supplied with a species of labor we do not want" (*i.e.,* free white labor). The movement was forwarded by the commercial conventions. In 1855, at New Orleans, a resolution for the repeal of the slave trade laws was introduced but not reported by committee. In 1856, at Savannah, the convention refused to debate the matter of the repeal of the slave trade laws but appointed a committee. At the convention at Knoxville, in 1857, a resolution declaring it inexpedient to reopen the trade was voted down. At Montgomery, in 1858, a committee presented an elaborate majority report declaring it "expedient and proper that the foreign slave trade should be reopened." After debate, it was decided that it was inexpedient for any single state to attempt to reopen the African slave trade while that state is one of the United States of America. Finally, at Vicksburg in 1859, it was voted 40-19, "that all laws, state or Federal, prohibiting the African slave trade, ought to be repealed."

Both the provisional and permanent constitutions of the Confederate states forbade the importation of Negroes from foreign countries, except the "slave-holding states or territories of the United States of America." Nevertheless, the foreign ministers of the Confederate states were assured that while the Confederate government had no power to reopen the slave trade, the states could, if they wanted to, and that the ministers were not to discuss any treaties to prohibit the trade.[16]

Thus the planters led the South into war, carrying the five million poor whites blindly with them and standing upon a creed which opposed the free distribution of government land; which asked for the expansion of slave territory, for restricted functions of the national government, and for the perpetuity of Negro slavery.

What irritated the planter and made him charge the North and liberal Europe with hypocrisy, was the ethical implications of slavery. He was kept explaining a system of work which he insisted was no different in essence from that in vogue in Europe and the North. They and he were all exploiting labor. He did it by individual right; they by state law. They called their labor free, but after all, the laborer was only free to starve, if he did not work on their terms. They called his laborer a slave when his master was responsible for him from birth to death.

The Southern argument had strong backing in the commercial North. Lawyer O'Conner of New York expressed amid applause that

calm reasoned estimate of the Negro in 1859, which pervaded the North:

"Now, Gentlemen, nature itself has assigned his condition of servitude to the Negro. He has the strength and is fit to work; but nature, which gave him this strength, denied him both the intelligence to rule and the will to work. Both are denied to him. And the same nature which denied him the will to work, gave him a master, who should enforce this will, and make a useful servant of him in a climate to which he is well adapted for his own benefit and that of the master who rules him. I assert that it is no injustice to leave the Negro in the position into which nature placed him; to put a master over him; and he is not robbed of any right, if he is compelled to labor in return for this, and to supply a just compensation for his master in return for the labor and the talents devoted to ruling him and to making him useful to himself and to society."

What the planter and his Northern apologist did not readily admit was that this exploitation of labor reduced it to a wage so low and a standard of living so pitiable that no modern industry in agriculture or trade or manufacture could build upon it; that it made ignorance compulsory and had to do so in self-defense; and that it automatically was keeping the South from entering the great stream of modern industry where growing intelligence among workers, a rising standard of living among the masses, increased personal freedom and political power, were recognized as absolutely necessary.

The ethical problem here presented was less important than the political and far less than the economic. The Southerners were as little conscious of the hurt they were inflicting on human beings as the Northerners were of their treatment of the insane. It is easy for men to discount and misunderstand the suffering or harm done others. Once accustomed to poverty, to the sight of toil and degradation, it easily seems normal and natural; once it is hidden beneath a different color of skin, a different stature or a different habit of action and speech, and all consciousness of inflicting ill disappears.

The Southern planter suffered, not simply for his economic mistakes—the psychological effect of slavery upon him was fatal. The mere fact that a man could be, under the law, the actual master of the mind and body of human beings had to have disastrous effects. It tended to inflate the ego of most planters beyond all reason; they became arrogant, strutting, quarrelsome kinglets; they issued commands; they made laws; they shouted their orders; they expected deference and self-abasement; they were choleric and easily insulted. Their "honor" became a vast and awful thing, requiring wide and insistent deference. Such of them as were inherently weak and in-

efficient were all the more easily angered, jealous and resentful; while the few who were superior, physically or mentally, conceived no bounds to their power and personal prestige. As the world had long learned, nothing is so calculated to ruin human nature as absolute power over human beings.

On the other hand, the possession of such power did not and could not lead to its continued tyrannical exercise. The tyrant could be kind and congenial. He could care for his chattels like a father; he could grant indulgence and largess; he could play with power and find tremendous satisfaction in its benevolent use.

Thus, economically and morally, the situation of the planter became intolerable. What was needed was the force of great public opinion to make him see his economic mistakes and the moral debauchery that threatened him. But here again in the planter class no room was made for the reformer, the recalcitrant. The men who dared such thought and act were driven out or suppressed with a virulent tyranny reminiscent of the Inquisition and the Reformation. For these there was the same peculiar way of escape that lay before the slave. The planter who could not stand slavery followed the poor whites who could not stand Negroes, they followed the Negro who also could not stand slavery, into the North; and there, removed from immediate contact with the evils of slavery, the planter often became the "copperhead," and theoretical champion of a system which he could not himself endure.

Frederick Douglass thus summed up the objects of the white planter:

"I understand this policy to comprehend five cardinal objects. They are these: 1st, The complete suppression of all anti-slavery discussion. 2d, The expatriation of the entire free people of color from the United States. 3d, The unending perpetuation of slavery in this republic. 4th, The nationalization of slavery to the extent of making slavery respected in every state of the Union. 5th, The extension of slavery over Mexico and the entire South American states."[17]

This whole system and plan of development failed, and failed of its own weakness. Unending effort has gone into painting the claims of the Old South, its idyllic beauty and social charm. But the truth is inexorable. With all its fine men and sacrificing women, its hospitable homes and graceful manners, the South turned the most beautiful section of the nation into a center of poverty and suffering, of drinking, gambling and brawling; an abode of ignorance among black and white more abysmal than in any modern land; and a system of industry so humanly unjust and economically inefficient that if it had not committed suicide in civil war, it would have disintegrated of its own weight.

With the Civil War, the planters died as a class. We still talk as though the dominant social class in the South persisted after the war. But it did not. It disappeared. Just how quickly and in what manner the transformation was made, we do not know. No scientific study of the submergence of the remainder of the planter class into the ranks of the poor whites, and the corresponding rise of a portion of the poor whites into the dominant portion of landholders and capitalists, has been made. Of the names of prominent Southern families in Congress in 1860, only two appear in 1870, five in 1880. Of 90 prominent names in 1870, only four survived in 1880. Men talk today as though the upper class in the white South is descended from the slaveholders; yet we know by plain mathematics that the ancestors of most of the present Southerners never owned a slave nor had any real economic part in slavery. The disaster of war decimated the planters; the bitter disappointment and frustration led to a tremendous mortality after the war, and from 1870 on the planter class merged their blood so completely with the rising poor whites that they disappeared as a separate aristocracy. It is this that explains so many characteristics of the post-war South: its lynching and mob law, its murders and cruelty, its insensibility to the finer things of civilization.

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Not spring; from us no agony of birth
Is asked or needed; in a crimson tide
Upon the down-slope of the world
We, the elect, are hurled
In fearful power and brief pride
Burning at last to silence and dark earth.
Not Spring. JAMES RORTY

* Quoted in speech of Charles Sumner, in the United States Senate, December 20, 1865, from "a private letter which I have received from a government officer." *Congressional Globe*, 39th Congress, 1st Session, p. 93, Column 2.

1. Nevin, *American Social History as Recorded by British Travellers*, p. 209.
2. Trollope, Frances, *Domestic Manners of the Americans*, p. 10.
3. *An Appeal of a Colored Man to His Fellow-Citizens of a Fairer Hue, in the United States, 1877*, pp. 33, 34.
4. Goodell, *American Slave Code*, p. 111.
5. Brewster, *Sketches of Southern Mystery, Treason and Murder*, pp. 48, 51.
6. Bancroft, *Slave-Trading in the Old South*, p. 199.
7. Mazyck, *George Washington and the Negro*, p. 13.
8. Bancroft, *Slave-Trading in the Old South*, p. 381.
9. Olmsted, *A Journey in the Seaboard Slave States*, pp. 183-184.
10. *Studies in Southern History and Politics*, footnote, pp. 329, 346.
11. Ficklen, *History of Reconstruction in Louisiana*, p. 12.
12. Ficklen, *Reconstruction in Louisiana*, p. 15.
13. Ficklen, *Reconstruction in Louisiana*, p. 27.
14. *New Orleans Tribune*, February 15, 1865.
15. Stewart, *The Reward of Patriotism*, pp. 41-43.
16. Compare Du Bois, *Suppression of Slave-Trade*, Chapter XI.
17. Woodson, *Negro Orators and Their Orations*, p. 224.

# IV. THE GENERAL STRIKE

How the Civil War meant emancipation and how the black worker won the war by a general strike which transferred his labor from the Confederate planter to the Northern invader, in whose army lines workers began to be organized as a new labor force

When Edwin Ruffin, white-haired and mad, fired the first gun at Fort Sumter, he freed the slaves. It was the last thing he meant to do but that was because he was so typically a Southern oligarch. He did not know the real world about him. He was provincial and lived apart on his plantation with his servants, his books and his thoughts. Outside of agriculture, he jumped at conclusions instead of testing them by careful research. He knew, for instance, that the North would not fight. He knew that Negroes would never revolt.

And so war came. War is murder, force, anarchy and debt. Its end is evil, despite all incidental good. Neither North nor South had before 1861 the slightest intention of going to war. The thought was in many respects ridiculous. They were not prepared for war. The national army was small, poorly equipped and without experience. There was no file from which someone might draw plans of subjugation.

When Northern armies entered the South they became armies of emancipation. It was the last thing they planned to be. The North did not propose to attack property. It did not propose to free slaves. This was to be a white man's war to preserve the Union, and the Union must be preserved.

Nothing that concerned the amelioration of the Negro touched the heart of the mass of Americans nor could the common run of men realize the political and economic cost of Negro slavery. When, therefore, the Southern radicals, backed by political oligarchy and economic dictatorship in the most extreme form in which the world had seen it for five hundred years, precipitated secession, that part of the North that opposed the plan had to hunt for a rallying slogan to unite the majority in the North and in the West, and if possible, bring the Border States into an opposing phalanx.

Freedom for slaves furnished no such slogan. Not one-tenth of the Northern white population would have fought for any such purpose. Free soil was a much stronger motive, but it had no cogency in this

contest because the Free Soilers did not dream of asking free soil in the South, since that involved the competition of slaves, or what seemed worse than that, of free Negroes. On the other hand, the tremendous economic ideal of keeping this great market for goods, the United States, together with all its possibilities of agriculture, manufacture, trade and profit, appealed to both the West and the North; and what was then much more significant, it appealed to the Border States.

> "To the flag we are pledged, all its foes we abhor,
> And we ain't for the nigger, but we are for the war."

The Border States wanted the cotton belt in the Union so that they could sell it their surplus slaves; but they also wanted to be in the same union with the North and West, where the profit of trade was large and increasing. The duty then of saving the Union became the great rallying cry of a war which for a long time made the Border States hesitate and confine secession to the far South. And yet they all knew that the only thing that really threatened the Union was slavery and the only remedy was Abolition.

If, now, the far South had had trained and astute leadership, a compromise could have been made which, so far as slavery was concerned, would have held the abnormal political power of the South intact, made the slave system impregnable for generations, and even given slavery practical rights throughout the nation.

Both North and South ignored in differing degrees the interests of the laboring classes. The North expected patriotism and union to make white labor fight; the South expected all white men to defend the slaveholders' property. Both North and South expected at most a sharp, quick fight and victory; more probably the South expected to secede peaceably, and then outside the Union, to impose terms which would include national recognition of slavery, new slave territory and new cheap slaves. The North expected that after a threat and demonstration to appease its "honor," the South would return with the right of slave property recognized and protected but geographically limited.

Both sections ignored the Negro. To the Northern masses the Negro was a curiosity, a sub-human minstrel, willingly and naturally a slave, and treated as well as he deserved to be. He had not sense enough to revolt and help Northern armies, even if Northern armies were trying to emancipate him, which they were not. The North shrank at the very thought of encouraging servile insurrection against the whites. Above all it did not propose to interfere with property. Negroes on the whole were considered cowards and inferior beings whose very presence in America was unfortunate. The abolitionists, it was true,

expected action on the part of the Negro, but how much, they could not say. Only John Brown knew just how revolt had come and would come and he was dead.

Thus the Negro himself was not seriously considered by the majority of men, North or South. And yet from the very beginning, the Negro occupied the center of the stage because of very simple physical reasons: the war was in the South and in the South were 3,953,740 black slaves and 261,918 free Negroes. What was to be the relation of this mass of workers to the war? What did the war mean to the Negroes, and what did the Negroes mean to the war? There are two theories, both rather over-elaborated: the one that the Negro did nothing but faithfully serve his master until emancipation was thrust upon him; the other that the Negro immediately, just as quickly as the presence of Northern soldiers made it possible, left serfdom and took his stand with the army of freedom.

It must be borne in mind that nine-tenths of the four million black slaves could neither read nor write, and that the overwhelming majority of them were isolated on country plantations. Any mass movement under such circumstances must materialize slowly and painfully. What the Negro did was to wait, look and listen and try to see where his interest lay. There was no use in seeking refuge in an army which was not an army of freedom; and there was no sense in revolting against armed masters who were conquering the world. As soon, however, as it became clear that the Union armies would not or could not return fugitive slaves, and that the masters with all their fume and fury were uncertain of victory, the slave entered upon a general strike against slavery by the same methods that he had used during the period of the fugitive slave. He ran away to the first place of safety and offered his services to the Federal Army. So that in this way it was really true that he served his former master and served the emancipating army; and it was also true that this withdrawal and bestowal of his labor decided the war.

The South counted on Negroes as laborers to raise food and money crops for civilians and for the army, and even in a crisis, to be used for military purposes. Slave revolt was an ever-present risk, but there was no reason to think that a short war with the North would greatly increase this danger. Publicly, the South repudiated the thought of its slaves even wanting to be rescued. The New Orleans *Crescent* showed "the absurdity of the assertion of a general stampede of our Negroes." The London *Dispatch* was convinced that Negroes did not want to be free. "As for the slaves themselves, crushed with the wrongs of Dred Scott and Uncle Tom—most provoking—they cannot be brought to 'burn with revenge.' They are spies for their masters. They obstinately

refuse to run away to liberty, outrage and starvation. They work in the fields as usual when the planter and overseer are away and only the white women are left at home."

Early in the war, the South had made careful calculation of the military value of slaves. The Alabama *Advertiser* in 1861 discussed the slaves as a "Military Element in the South." It said that "The total white population of the eleven states now comprising the Confederacy is 5,000,000, and, therefore, to fill up the ranks of the proposed army, 600,000, about ten per cent of the entire white population, will be required. In any other country than our own such a draft could not be met, but the Southern states can furnish that number of men, and still not leave the material interest of the country in a suffering condition."

The editor, with fatuous faith, did not for a moment contemplate any mass movement against this program on the part of the slaves. "Those who are incapacitated for bearing arms can oversee the plantations, and the Negroes can go on undisturbed in their usual labors. In the North, the case is different; the men who join the army of subjugation are the laborers, the producers and the factory operatives. Nearly every man from that section, especially those from the rural districts, leaves some branch of industry to suffer during his absence. The institution of slavery in the South alone enables her to place in the field a force much larger in proportion to her white population than the North, or indeed any country which is dependent entirely on free labor. The institution is a tower of strength to the South, particularly at the present crisis, and our enemies will be likely to find that the 'Moral Cancer' about which their orators are so fond of prating, is really one of the most effective weapons employed against the Union by the South." [1]

Soon the South of necessity was moving out beyond this plan. It was no longer simply a question of using the Negroes at home on the plantation to raise food. They could be of even more immediate use, as military labor, to throw up breastworks, transport and prepare food and act as servants in camp. In the Charleston *Courier* of November 22, able-bodied hands were asked to be sent by their masters to work upon the defenses. "They would be fed and properly cared for."

In 1862, in Charleston, after a proclamation of martial law, the governor and counsel authorized the procuring of Negro slaves either by the planter's consent or by impressment "to work on the fortifications and defenses of Charleston harbor."

In Mississippi in 1862, permission was granted the Governor to impress slaves to work in New Iberia for salt, which was becoming the Confederacy's most pressing necessity. In Texas, a thousand Negroes were offered by planters for work on the public defenses.

By 1864, the matter had passed beyond the demand for slaves as military laborers and had come to the place where the South was seriously considering and openly demanding the use of Negroes as soldiers. Distinctly and inevitably, the rigor of the slave system in the South softened as war proceeded. Slavery showed in many if not all respects its best side. The harshness and the cruelty, in part, had to disappear, since there were left on the plantations mainly women and children, with only a few men, and there was a certain feeling and apprehension in the air on the part of the whites which led them to capitalize all the friendship and kindness which had existed between them and the slaves. No race could have responded to this so quickly and thoroughly as the Negroes. They felt pity and responsibility and also a certain new undercurrent of independence. Negroes were still being sold rather ostentatiously in Charleston and New Orleans, but the long lines of Virginia Negroes were not marching to the Southwest. In a certain sense, after the first few months everybody knew that slavery was done with; that no matter who won, the condition of the slave could never be the same after this disaster of war. And it was, perhaps, these considerations, more than anything else, that held the poised arm of the black man; for no one knew better than the South what a Negro crazed with cruelty and oppression and beaten back to the last stand could do to his oppressor.

The Southerners, therefore, were careful. Those who had been kind to their slaves assured them of the bad character of the Yankee and of their own good intentions.

Thus while the Negroes knew there were Abolitionists in the North, they did not know their growth, their power or their intentions and they did hear on every side that the South was overwhelmingly victorious on the battlefield. On the other hand, some of the Negroes sensed what was beginning to happen. The Negroes of the cities, the Negroes who were being hired out, the Negroes of intelligence who could read and write, all began carefully to watch the unfolding of the situation. At the first gun of Sumter, the black mass began not to move but to heave with nervous tension and watchful waiting. Even before war was declared, a movement began across the border. Just before the war large numbers of fugitive slaves and free Negroes rushed into the North. It was estimated that two thousand left North Carolina alone because of rumors of war.

When W. T. Sherman occupied Port Royal in October, 1861, he had no idea that he was beginning emancipation at one of its strategic points. On the contrary, he was very polite and said that he had no idea of interfering with slaves. In the same way, Major General Dix, on seizing two counties of Virginia, was careful to order that slavery

was not to be interfered with or slaves to be received into the line. Burnside went further, and as he brought his Rhode Island regiment through Baltimore in June, he courteously returned two Negroes who tried to run away with him. They were "supposed to be slaves," although they may have been free Negroes. On the 4th of July, Colonel Pryor of Ohio delivered an address to the people of Virginia in which he repudiated the accusation that the Northern army were Abolitionists.

"I desire to assure you that the relation of master and servant as recognized in your state shall be respected. Your authority over that species of property shall not in the least be interfered with. To this end, I assure you that those under my command have peremptory orders to take up and hold any Negroes found running about the camp without passes from their masters." [2]

Halleck in Missouri in 1862 refused to let fugitive slaves enter his lines. Burnside, Buell, Hooker, Thomas Williams and McClellan himself, all warned their soldiers against receiving slaves and most of them permitted masters to come and remove slaves found within the lines.

The constant charge of Southern newspapers, Southern politicians and their Northern sympathizers, that the war was an abolition war, met with constant and indignant denial. Loyal newspapers, orators and preachers, with few exceptions, while advocating stringent measures for putting down the Rebellion, carefully disclaimed any intention of disturbing the "peculiar institution" of the South. The Secretary of State informed foreign governments, through our ministers abroad, that this was not our purpose. President Lincoln, in his earlier messages, substantially reiterated the statement. Leading generals, on entering Southern territory, issued proclamations to the same effect. One even promised to put down any slave insurrection "with an iron hand," while others took vigorous measures to send back the fugitives who sought refuge within their lines.

"In the early years of the war, if accounts do not err, during the entire period McClellan commanded the Army of the Potomac, 'John Brown's Body' was a forbidden air among the regimental bands. The Hutchinsons were driven from Union camps for singing abolition songs, and in so far as the Northern army interested itself at all in the slavery question, it was by the use of force to return to their Southern masters fugitives seeking shelter in the Union lines. While the information they possessed, especially respecting the roads and means of communication, should have been of inestimable service to the Federals, they were not to be employed as laborers or armed as soldiers. The North avoided the appearance of a desire to raise the Negroes from the plane of chattels to the rank of human beings." [3]

Here was no bid for the coöperation of either slaves or free Negroes. In the North, Negroes were not allowed to enlist and often refused with indignation. "Thus the weakness of the South temporarily became her strength. Her servile population, repulsed by Northern pro-slavery sentiment, remained at home engaged in agriculture, thus releasing her entire white population for active service in the field; while, on the other hand, the military resources of the North were necessarily diminished by the demands of labor." [4]

It was as Frederick Douglass said in Boston in 1865, that the Civil War was begun "in the interests of slavery on both sides. The South was fighting to take slavery out of the Union, and the North fighting to keep it in the Union; the South fighting to get it beyond the limits of the United States Constitution, and the North fighting for the old guarantees;—both despising the Negro, both insulting the Negro."

It was, therefore, at first by no means clear to most of the four million Negroes in slavery what this war might mean to them. They crouched consciously and moved silently, listening, hoping and hesitating. The watchfulness of the South was redoubled. They spread propaganda: the Yankees were not only not thinking of setting them free, but if they did anything, they would sell them into worse slavery in the West Indies. They would drive them from even the scant comfort of the plantations into the highways and purlieus. Moreover, if they tried to emancipate the slaves, they would fail because they could not do this without conquest of the South. The South was unconquerable.

The South was not slow to spread propaganda and point to the wretched condition of fugitive Negroes in order to keep the loyalty of its indispensable labor force. The Charleston *Daily Courier* said February 18, 1863: "A company of volunteers having left Fayette County for the field of action, Mr. Nance sent two Negro boys along to aid the company. Their imaginations became dazzled with the visions of Elysian fields in Yankeedom and they went to find them. But Paradise was nowhere there, and they again sighed for home. The Yanks, however, detained them and cut off their ears close to their heads. These Negroes finally made their escape and are now at home with Mr. Nance in Pickens. They are violent haters of Yankees and their adventures and experiences are a terror to Negroes of the region, who learned a lesson from their brethren whose ears are left in Lincolndom!"

The Charleston *Mercury,* May 8, 1862, said: "The Yankees are fortifying Fernandina (Florida) and have a large number of Negroes engaged on their works. Whenever the Negroes have an opportunity,

they escape from their oppressors. They report that they are worked hard, get little rest and food and no pay."

The Savannah *Daily News* reports in 1862 that many stolen Negroes had been recaptured: "The Yankees had married a number of the women and were taking them home with them. I have seen some who refused to go and others who had been forced off at other times who had returned."

It was a lovely dress parade of Alphonse and Gaston until the Negro spoiled it and in a perfectly logical way. So long as the Union stood still and talked, the Negro kept quiet and worked. The moment the Union army moved into slave territory, the Negro joined it. Despite all argument and calculation and in the face of refusals and commands, wherever the Union armies marched, appeared the fugitive slaves. It made no difference what the obstacles were, or the attitudes of the commanders. It was "like thrusting a walking stick into an ant-hill," says one writer. And yet the army chiefs at first tried to regard it as an exceptional and temporary matter, a thing which they could control, when as a matter of fact it was the meat and kernel of the war.

Thus as the war went on and the invading armies came on, the way suddenly cleared for the onlooking Negro, for his spokesmen in the North, and for his silent listeners in the South. Each step, thereafter, came with curious, logical and inevitable fate. First there were the fugitive slaves. Slaves had always been running away to the North, and when the North grew hostile, on to Canada. It was the safety valve that kept down the chance of insurrection in the South to the lowest point. Suddenly, now, the chance to run away not only increased, but after preliminary repulse and hesitation, there was actual encouragement.

Not that the government planned or foresaw this eventuality; on the contrary, having repeatedly declared the object of the war as the preservation of the Union and that it did not propose to fight for slaves or touch slavery, it faced a stampede of fugitive slaves.

Every step the Northern armies took then meant fugitive slaves. They crossed the Potomac, and the slaves of northern Virginia began to pour into the army and into Washington. They captured Fortress Monroe, and slaves from Virginia and even North Carolina poured into the army. They captured Port Royal, and the masters ran away, leaving droves of black fugitives in the hands of the Northern army. They moved down the Mississippi Valley, and if the slaves did not rush to the army, the army marched to the slaves. They captured New Orleans, and captured a great black city and a state full of slaves.

What was to be done? They tried to send the slaves back, and even

used the soldiers for recapturing them. This was all well enough as long as the war was a dress parade. But when it became real war, and slaves were captured or received, they could be used as much-needed laborers and servants by the Northern army.

This but emphasized and made clearer a truth which ought to have been recognized from the very beginning: The Southern worker, black and white, held the key to the war; and of the two groups, the black worker raising food and raw materials held an even more strategic place than the white. This was so clear a fact that both sides should have known it. Fremont in Missouri took the logical action of freeing slaves of the enemy round about him by proclamation, and President Lincoln just as promptly repudiated what he had done. Even before that, General Butler in Virginia, commander of the Union forces at Fortress Monroe, met three slaves walking into his camp from the Confederate fortifications where they had been at work. Butler immediately declared these men "contraband of war" and put them to work in his own camp. More slaves followed, accompanied by their wives and children. The situation here was not quite so logical. Nevertheless, Butler kept the fugitives and freed them and let them do what work they could; and his action was approved by the Secretary of War.

"On May twenty-sixth, only two days after the one slave appeared before Butler, eight Negroes appeared; on the next day, forty-seven, of all ages and both sexes. Each day they continued to come by twenties, thirties and forties until by July 30th the number had reached nine hundred. In a very short while the number ran up into the thousands. The renowned Fortress took the name of the 'freedom fort' to which the blacks came by means of a 'mysterious spiritual telegraph.'" [5]

In December, 1861, the Secretary of the Treasury, Simon Cameron, had written, printed and put into the mails his first report as Secretary of War without consultation with the President. Possibly he knew that his recommendations would not be approved, but "he recommended the general arming of Negroes, declaring that the Federals had as clear a right to employ slaves taken from the enemy as to use captured gunpowder." This report was recalled by the President by telegraph and the statements of the Secretary were modified. The incident aroused some unpleasantness in the cabinet.

The published report finally said:

"Persons held by rebels, under such laws, to service as slaves, may, however, be justly liberated from their constraint, and made more valuable in various employments, through voluntary and compensated service, than if confiscated as subjects of property."

Transforming itself suddenly from a problem of abandoned plan-

tations and slaves captured while being used by the enemy for military purposes, the movement became a general strike against the slave system on the part of all who could find opportunity. The trickling streams of fugitives swelled to a flood. Once begun, the general strike of black and white went madly and relentlessly on like some great saga.

"Imagine, if you will, a slave population, springing from antecedent barbarism, rising up and leaving its ancient bondage, forsaking its local traditions and all the associations and attractions of the old plantation life, coming garbed in rags or in silks, with feet shod or bleeding, individually or in families and larger groups,—an army of slaves and fugitives, pushing its way irresistibly toward an army of fighting men, perpetually on the defensive and perpetually ready to attack. The arrival among us of these hordes was like the oncoming of cities. There was no plan in this exodus, no Moses to lead it. Unlettered reason or the mere inarticulate decision of instinct brought them to us. Often the slaves met prejudices against their color more bitter than any they had left behind. But their own interests were identical, they felt, with the objects of our armies; a blind terror stung them, an equally blind hope allured them, and to us they come." [6]

"Even before the close of 1862, many thousands of blacks of all ages, ragged, with no possessions, except the bundles which they carried, had assembled at Norfolk, Hampton, Alexandria and Washington. Others, landless, homeless, helpless, in families and in multitudes, including a considerable number of wretched white people, flocked North from Tennessee, Kentucky, Arkansas and Missouri. All these were relieved in part by army rations, irregularly issued, and by volunteer societies of the North, which gained their money from churches and individuals in this country and abroad. In the spring of 1863, there were swarming crowds of Negroes and white refugees along the line of defense made between the armies of the North and South and reaching from Maryland to Virginia, along the coast from Norfolk to New Orleans. Soldiers and missionaries told of their virtues and vices, their joy and extreme suffering. The North was moved to an extraordinary degree, and endless bodies of workers and missionaries were organized and collected funds for materials.

"Rude barracks were erected at different points for the temporary shelter of the freedmen; but as soon as possible the colonies thus formed were broken up and the people encouraged to make individual contracts for labor upon neighboring plantations. In connection with the colonies, farms were cultivated which aided to meet the expenses. Hospitals were established at various points for the sick, of whom there were great numbers. The separation of families by the war, and

illegitimate birth in consequence of slavery, left a great number of children practically in a state of orphanage." [7]

This was the beginning of the swarming of the slaves, of the quiet but unswerving determination of increasing numbers no longer to work on Confederate plantations, and to seek the freedom of the Northern armies. Wherever the army marched and in spite of all obstacles came the rising tide of slaves seeking freedom. For a long time, their treatment was left largely to the discretion of the department managers; some welcomed them, some drove them away, some organized them for work. Gradually, the fugitives became organized and formed a great labor force for the army. Several thousand were employed as laborers, servants, and spies.

A special war correspondent of the New York *Tribune* writes: "'God bless the Negroes,' say I, with earnest lips. During our entire captivity, and after our escape, they were ever our firm, brave, unflinching friends. We never made an appeal to them they did not answer. They never hesitated to do us a service at the risk even of life, and under the most trying circumstances revealed a devotion and a spirit of self-sacrifice that was heroic. The magic word 'Yankee' opened all their hearts, and elicited the loftiest virtues. They were ignorant, oppressed, enslaved; but they always cherished a simple and a beautiful faith in the cause of the Union and its ultimate triumph, and never abandoned or turned aside from a man who sought food or shelter on his way to Freedom." [8]

This whole move was not dramatic or hysterical, rather it was like the great unbroken swell of the ocean before it dashes on the reefs. The Negroes showed no disposition to strike the one terrible blow which brought black men freedom in Haiti and which in all history has been used by all slaves and justified. There were some plans for insurrection made by Union officers:

"The plan is to induce the blacks to make a simultaneous movement of rising, on the night of the 1st of August next, over the entire States in rebellion, to arm themselves with any and every kind of weapon that may come to hand, and commence operations by burning all the railroad and country bridges, and tear up railroad tracks, and to destroy telegraph lines, etc., and then take to the woods, swamps, or the mountains, where they may emerge as occasion may offer for provisions and for further depredations. No blood is to be shed except in self-defense. The corn will be ripe about the 1st of August and with this and hogs running in the woods, and by foraging upon the plantations by night, they can subsist. This is the plan in substance, and if we can obtain a concerted movement at the time named it will doubtless be successful." [9]

Such plans came to naught for the simple reason that there was an easier way involving freedom with less risk.

The South preened itself on the absence of slave violence. Governor Walker of Florida said in his inaugural in 1865: "Where, in all the records of the past, does history present such an instance of steadfast devotion, unwavering attachment and constancy as was exhibited by the slaves of the South throughout the fearful contest that has just ended? The country invaded, homes desolated, the master absent in the army or forced to seek safety in flight and leave the mistress and her helpless infants unprotected, with every incitement to insubordination and instigation, to rapine and murder, no instance of insurrection, and scarcely one of voluntary desertion has been recorded."

The changes upon this theme have been rung by Southern orators many times since. The statement, of course, is not quite true. Hundreds of thousands of slaves were very evidently leaving their masters' homes and plantations. They did not wreak vengeance on unprotected women. They found an easier, more effective and more decent way to freedom. Men go wild and fight for freedom with bestial ferocity when they must—where there is no other way; but human nature does not deliberately choose blood—at least not black human nature. On the other hand, for every slave that escaped to the Union army, there were ten left on the untouched and inaccessible plantations.

Another step was logical and inevitable. The men who handled a spade for the Northern armies, the men who fed them, and as spies brought in information, could also handle a gun and shoot. Without legal authority and in spite of it, suddenly the Negro became a soldier. Later his services as soldier were not only permitted but were demanded to replace the tired and rebellious white men of the North. But as a soldier, the Negro must be free.

The North started out with the idea of fighting the war without touching slavery. They faced the fact, after severe fighting, that Negroes seemed a valuable asset as laborers, and they therefore declared them "contraband of war." It was but a step from that to attract and induce Negro labor to help the Northern armies. Slaves were urged and invited into the Northern armies; they became military laborers and spies; not simply military laborers, but laborers on the plantations, where the crops went to help the Federal army or were sold North. Thus wherever Northern armies appeared, Negro laborers came, and the North found itself actually freeing slaves before it had the slightest intention of doing so, indeed when it had every intention not to.

The experience of the army with the refugees and the rise of the departments of Negro affairs were a most interesting, but unfortunately little studied, phase of Reconstruction. Yet it contained in a

sense the key to the understanding of the whole situation. At first, the rush of the Negroes from the plantations came as a surprise and was variously interpreted. The easiest thing to say was that Negroes were tired of work and wanted to live at the expense of the government; wanted to travel and see things and places. But in contradiction to this was the extent of the movement and the terrible suffering of the refugees. If they were seeking peace and quiet, they were much better off on the plantations than trailing in the footsteps of the army or squatting miserably in the camps. They were mistreated by the soldiers; ridiculed; driven away, and yet they came. They increased with every campaign, and as a final gesture, they marched with Sherman from Atlanta to the sea, and met the refugees and abandoned human property on the Sea Islands and the Carolina Coast.

This was not merely the desire to stop work. It was a strike on a wide basis against the conditions of work. It was a general strike that involved directly in the end perhaps a half million people. They wanted to stop the economy of the plantation system, and to do that they left the plantations. At first, the commanders were disposed to drive them away, or to give them quasi-freedom and let them do as they pleased with the nothing that they possessed. This did not work. Then the commanders organized relief and afterward, work. This came to the attention of the country first in Pierce's "Ten Thousand Clients." Pierce of Boston had worked with the refugees in Virginia under Butler, provided them with food and places to live, and given them jobs and land to cultivate. He was successful. He came from there, and, in conjunction with the Treasury Department, began the work on a vaster scale at Port Royal. Here he found the key to the situation. The Negroes were willing to work and did work, but they wanted land to work, and they wanted to see and own the results of their toil. It was here and in the West and the South that a new vista opened. Here was a chance to establish an agrarian democracy in the South: peasant holders of small properties, eager to work and raise crops, amenable to suggestion and general direction. All they needed was honesty in treatment, and education. Wherever these conditions were fulfilled, the result was little less than phenomenal. This was testified to by Pierce in the Carolinas, by Butler's agents in North Carolina, by the experiment of the Sea Islands, by Grant's department of Negro affairs under Eaton, and by Banks' direction of Negro labor in Louisiana. It is astonishing how this army of striking labor furnished in time 200,000 Federal soldiers whose evident ability to fight decided the war.

General Butler went from Virginia to New Orleans to take charge of the city newly captured in April, 1862. Here was a whole city half-

filled with blacks and mulattoes, some of them wealthy free Negroes and soldiers who came over from the Confederate side and joined the Federals.

Perhaps the greatest and most systematic organizing of fugitives took place in New Orleans. At first, Butler had issued orders that no slaves would be received in New Orleans. Many planters were unable to make slaves work or to support them, and sent them back of the Federal lines, planning to reclaim them after the war was over. Butler emancipated these slaves in spite of the fact that he knew this was against Lincoln's policy. As the flood kept coming, he seized abandoned sugar plantations and began to work them with Negro labor for the benefit of the government.

By permission of the War Department, and under the authority of the Confiscation Act, Butler organized colonies of fugitives, and regulated employment. His brother, Colonel Butler, and others worked plantations, hiring the Negro labor. The Negroes stood at Butler's right hand during the trying time of his administration, and particularly the well-to-do free Negro group were his strongest allies. He was entertained at their tables and brought down on himself the wrath and contempt, not simply of the South, but even of the North. He received the black regiment, and kept their black officers, who never forgot him. Whatever else he might have been before the war, or proved to be afterwards, "the colored people of Louisiana under the proper sense of the good you have done to the African race in the United States, beg leave to express to you their gratitude."

From 1862 to 1865, many different systems of caring for the escaped slaves and their families in this area were tried. Butler and his successor, Banks, each sought to provide for the thousands of destitute freedmen with medicine, rations and clothing. When General Banks took command, there was suffering, disease and death among the 150,000 Negroes. On January 30, 1863, he issued a general order making labor on public works and elsewhere compulsory for Negroes who had no means of support.

Just as soon, however, as Banks tried to drive the freedmen back to the plantations and have them work under a half-military slave régime, the plan failed. It failed, not because the Negroes did not want to work, but because they were striking against these particular conditions of work. When, because of wide protest, he began to look into the matter, he saw a clear way. He selected Negroes to go out and look into conditions and to report on what was needed, and they made a faithful survey. He set up a little state with its department of education, with its landholding and organized work, and after experiment it ran itself. More and more here and up the Mississippi Valley,

under other commanders and agents, experiments extended and were successful.

Further up the Mississippi, a different system was begun under General Grant. Grant's army in the West occupied Grand Junction, Mississippi, by November, 1862. The usual irregular host of slaves then swarmed in from the surrounding country. They begged for protection against recapture, and they, of course, needed food, clothing and shelter. They could not now be reënslaved through army aid, yet no provision had been made by anybody for their sustenance. A few were employed as teamsters, servants, cooks and scouts, yet it seemed as though the vast majority must be left to freeze and starve, for when the storms came with the winter months, the weather was of great severity.

Grant determined that Negroes should perform many of the camp duties ordinarily done by soldiers; that they should serve as fatigue men in the departments of the surgeon general, quartermaster, and commissary, and that they should help in building roads and earthworks. The women worked in the camp kitchens and as nurses in the hospitals. Grant said, "It was at this point where the first idea of the Freedmen's Bureau took its origin."

Grant selected as head of his Department of Negro Affairs, John Eaton, chaplain of the Twenty-Seventh Ohio Volunteers, who was soon promoted to the colonelcy of a colored regiment, and later for many years was a Commissioner of the United States Bureau of Education. He was then constituted Chief of Negro Affairs for the entire district under Grant's jurisdiction.

"I hope I may never be called on again to witness the horrrible scenes I saw in those first days of the history of the freedmen in the Mississippi Valley. Assistants were hard to get, especially the kind that would do any good in our camps. A detailed soldier in each camp of a thousand people was the best that could be done. His duties were so onerous that he ended by doing nothing. . . . In reviewing the condition of the people at that time, I am not surprised at the marvelous stories told by visitors who caught an occasional glimpse of the misery and wretchedness in these camps. . . . Our efforts to do anything for these people, as they herded together in masses, when founded on any expectation that they would help themselves, often failed; they had become so completely broken down in spirit, through suffering, that it was almost impossible to arouse them.

"Their condition was appalling. There were men, women and children in every stage of disease or decrepitude, often nearly naked, with flesh torn by the terrible experiences of their escapes. Sometimes they were intelligent and eager to help themselves; often they were be-

wildered or stupid or possessed by the wildest notions of what liberty might mean—expecting to exchange labor, and obedience to the will of another, for idleness and freedom from restraint. Such ignorance and perverted notions produced a veritable moral chaos. Cringing deceit, theft, licentiousness—all the vices which slavery inevitably fosters—were hideous companions of nakedness, famine, and disease. A few had profited by the misfortunes of the master and were jubilant in their unwonted ease and luxury, but these stood in lurid contrast to the grimmer aspects of the tragedy—the women in travail, the helplessness of childhood and of old age, the horrors of sickness and of frequent death. Small wonder that men paused in bewilderment and panic, foreseeing the demoralization and infection of the Union soldier and the downfall of the Union cause." [10]

There were new and strange problems of social contact. The white soldiers, for the most part, were opposed to serving Negroes in any manner, and were even unwilling to guard the camps where they were segregated or protect them against violence. "To undertake any form of work for the contrabands, at that time, was to be forsaken by one's friends and to pass under a cloud." [11]

There was, however, a clear economic basis upon which the whole work of relief and order and subsistence could be placed. All around Grand Junction were large crops of ungathered corn and cotton. These were harvested and sold North and the receipts were placed to the credit of the government. The army of fugitives were soon willing to go to work; men, women and children. Wood was needed by the river steamers and woodcutters were set at work. Eaton fixed the wages for this industry and kept accounts with the workers. He saw to it that all of them had sufficient food and clothing, and rough shelter was built for them. Citizens round about who had not abandoned their plantations were allowed to hire labor on the same terms as the government was using it. Very soon the freedmen became self-sustaining and gave little trouble. They began to build themselves comfortable cabins, and the government constructed hospitals for the sick. In the case of the sick and dependent, a tax was laid on the wages of workers. At first it was thought the laborers would object, but, on the contrary, they were perfectly willing and the imposition of the tax compelled the government to see that wages were promptly paid. The freedmen freely acknowledged that they ought to assist in helping bear the burden of the poor, and were flattered by having the government ask their help. It was the reaction of a new labor group, who, for the first time in their lives, were receiving money in payment for their work. Five thousand dollars was raised by this tax for hospitals, and with this money tools and property were bought. By wholesale

purchase, clothes, household goods and other articles were secured by the freedmen at a cost of one-third of what they might have paid the stores. There was a rigid system of accounts and monthly reports through army officials.

In 1864, July 5, Eaton reports: "These freedmen are now disposed of as follows: In military service as soldiers, laundresses, cooks, officers' servants, and laborers in the various staff departments, 41,150; in cities on plantations and in freedmen's villages and cared for, 72,500. Of these 62,300 are entirely self-supporting—the same as any industrial class anywhere else—as planters, mechanics, barbers, hackmen, draymen, etc., conducting enterprises on their own responsibility or working as hired laborers. The remaining 10,200 receive subsistence from the government. 3,000 of them are members of families whose heads are carrying on plantations and have under cultivation 4,000 acres of cotton. They are to pay the government for their sustenance from the first income of the crop. The other 7,200 include the paupers—that is to say, all Negroes over and under the self-supporting age, the crippled and sick in hospital, of the 113,650 and those engaged in their care. Instead of being unproductive, this class has now under cultivation 500 acres of corn, 790 acres of vegetables and 1,500 acres of cotton, besides working at wood-chopping and other industries. There are reported in the aggregate over 100,000 acres of cotton under cultivation. Of these about 7,000 acres are leased and cultivated by blacks. Some Negroes are managing as high as 300 or 400 acres."

The experiment at Davis Bend, Mississippi, was of especial interest. The place was occupied in November and December, 1864, and private interests were displaced and an interesting socialistic effort made with all the property under the control of the government. The Bend was divided into districts with Negro sheriffs and judges who were allowed to exercise authority under the general control of the military officers. Petty theft and idleness were soon reduced to a minimum and "the community distinctly demonstrated the capacity of the Negro to take care of himself and exercise under honest and competent direction the functions of self-government." [12]

When General Butler returned from Louisiana and resumed command in Virginia and North Carolina, he established there a Department of Negro Affairs, with the territory divided into districts under superintendents and assistants. Negroes were encouraged to buy land, build cabins and form settlements, and a system of education was established. In North Carolina, under Chaplain Horace James, the poor, both black and white, were helped; the refugees were grouped in small villages and their work systematized, and enlisted men taught in the schools, followed by women teachers from the North. Outside

of New Bern, North Carolina, about two thousand freedmen were settled and 800 houses erected. The department at Port Royal continued. The Negroes showed their capacity to organize labor and even to save and employ a little capital. The government built 21 houses for the people on Edisto Island. The carpenters were Negroes under a Negro foreman. There was another village of improved houses near Hilton Head.

"Next as to the development of manhood: this has been shown in the first place in the prevalent disposition to acquire land. It did not appear upon our first introduction to these people, and they did not seem to understand us when we used to tell them that we wanted them to own land. But it is now an active desire. At the recent tax sales, six out of forty-seven plantations sold were bought by them, comprising two thousand five hundred and ninety-five acres, sold for twenty-one hundred and forty-five dollars. In other cases, the Negroes had authorized the superintendent to bid for them, but the land was reserved by the United States. One of the purchases was that made by Harry, noted above. The other five were made by the Negroes on the plantations, combining the funds they had saved from the sale of their pigs, chickens and eggs, and from the payments made to them for work,—they then dividing off the tract peaceably among themselves. On one of these, where Kit, before mentioned, is the leading spirit, there are twenty-three fieldhands. They have planted and are cultivating sixty-three acres of cotton, fifty of corn, six of potatoes, with as many more to be planted, four and a half of cowpeas, three of peanuts, and one and a half of rice. These facts are most significant." [13]

Under General Saxton in South Carolina, the Negroes began to buy land which was sold for non-payment of taxes. Saxton established regulations for the cultivation of several abandoned Sea Islands and appointed local superintendents.

"By the payment of moderate wages, and just and fair dealing with them, I produced for the government over a half million dollars' worth of cotton, besides a large amount of food beyond the needs of the laborers. These island lands were cultivated in this way for two years, 1862 and 1863, under my supervision, and during that time I had about 15,000 colored freedmen of all ages in my charge. About 9,000 of these were engaged on productive labor which relieved the government of the support of all except newly-arrived refugees from the enemy's lines and the old and infirm who had no relations to depend upon. The increase of industry and thrift of the freedmen was illustrated by their conduct in South Carolina before the organization of the Freedmen's Bureau by the decreasing government expenditure for their support. The expense in the department of the South in 1863 was

$41,544, but the monthly expense of that year was steadily reduced, until in December it was less than $1,000." [14]

Into this fairly successful land and labor control was precipitated a vast and unexpected flood of refugees from previously untouched strongholds of slavery. Sherman made his march to the sea from Atlanta, cutting the cotton kingdom in two as Grant had invaded it along the Mississippi.

"The first intimation given me that many of the freedmen would be brought hither from Savannah came in the form of a request from the General that I would 'call at once to plan the reception of seven hundred who would be at the wharf in an hour.' This was Christmas day, and at 4 P.M., we had seven hundred—mainly women, old men and children before us. A canvass since made shows that half of them had traveled from Macon, Atlanta and even Chattanooga. They were all utterly destitute of blankets, stockings or shoes; and among the seven hundred there were not fifty articles in the shape of pots or kettles, or other utensils for cooking, no axes, very few coverings for many heads, and children wrapped in the only article not worn in some form by the parents." Frantic appeals went out for the mass of Negro refugees who followed him.

A few days after Sherman entered Savannah, Secretary of War Stanton came in person from Washington. He examined the condition of the liberated Negroes found in that city. He assembled twenty of those who were deemed their leaders. Among them were barbers, pilots and sailors, some ministers, and others who had been overseers on cotton and rice plantations. Mr. Stanton and General Sherman gave them a hearing.

As a result of this investigation into the perplexing problems as to what to do with the growing masses of unemployed Negroes and their families, General Sherman issued his epoch-making Sea Island Circular, January 18, 1865. In this paper, the islands from Charleston south, the abandoned rice fields along the rivers for thirty miles back from the sea and the country bordering the St. John's River, Florida, were reserved for the settlement of the Negroes made free by the acts of war and the proclamation of the President.

General Rufus Saxton was appointed Inspector of Settlements and Plantations and was required to make proper allotments and give possessory titles and defend them until Congress should confirm his actions. It was a bold move. Thousands of Negro families were distributed under this circular, and the freed people regarded themselves for more than six months as in permanent possession of these abandoned lands. Taxes on the freedmen furnished most of the funds to run these first experiments. On all plantations, whether owned or

leased, where freedmen were employed, a tax of one cent per pound on cotton and a proportional amount on all other products was to be collected as a contribution in support of the helpless among the freed people. A similar tax, varying with the value of the property, was levied by the government upon all leased plantations in lieu of rent.

Saxton testified: "General Sherman's Special Field Order No. 15 ordered their colonization on forty-acre tracts, and in accordance with which it is estimated some forty thousand were provided with homes. Public meetings were held, and every exertion used by those whose duty it was to execute this order to encourage emigration to the Sea Islands, and the faith of the government was solemnly pledged to maintain them in possession. The greatest success attended the experiment, and although the planting season was very far advanced before the transportation to carry the colonists to the Sea Islands could be obtained, and the people were destitute of animals and had but few agricultural implements and the greatest difficulty in procuring seeds, yet they went out, worked with energy and diligence to clear up the ground run to waste by three years' neglect; and thousands of acres were planted and provisions enough were raised for those who were located in season to plant, besides a large amount of sea island cotton for market. The seizure of some 549,000 acres of abandoned land, in accordance with the act of Congress and orders from the head of the bureau for the freedman and refugees, still further strengthened these ignorant people in the conviction that they were to have the lands of their late masters; and, with the other reasons before stated, caused a great unwillingness on the part of the freedmen to make any contracts whatever. But this refusal arises from no desire on their part to avoid labor, but from the causes above stated. . . .

"To test the question of their forethought and prove that some of the race at least thought of the future, I established in October, 1864, a savings bank for the freedmen of Beaufort district and vicinity. More than $240,000 had been deposited in this bank by freedmen since its establishment. I consider that the industrial problem has been satisfactorily solved at Port Royal, and that, in common with other races, the Negro has industry, prudence, forethought, and ability to calculate results. Many of them have managed plantations for themselves, and show an industry and sagacity that will compare favorably in their results—making due allowances—with those of white men."

Eventually, General Saxton settled nearly 30,000 Negroes on the Sea Islands and adjacent plantations and 17,000 were self-supporting within a year. While 12,000 or 13,000 were still receiving rations, it was distinctly understood that they and their farms would be held

responsible for the payment. In other such cases, the government had found that such a debt was a "safe and short one."

Negroes worked fewer hours and had more time for self-expression. Exports were less than during slavery. At that time the Negroes were mere machines run with as little loss as possible to the single end of making money for their masters. Now, as it was in the West Indies, emancipation had enlarged the Negro's purchasing power, but instead of producing solely for export, he was producing to consume. His standard of living was rising.

Along with this work of the army, the Treasury Department of the United States Government was bestirring itself. The Secretary of the Treasury, Salmon P. Chase, early in 1862, had his attention called to the accumulation of cotton on the abandoned Sea Islands and plantations, and was sure there was an opportunity to raise more. He, therefore, began the organization of freedmen for cotton raising, and his successor, William Pitt Fessenden, inaugurated more extensive plans for the freedmen in all parts of the South, appointing agents and organizing freedmen's home colonies.

On June 7, 1862, Congress held portions of the states in rebellion responsible for a direct tax upon the lands of the nation, and in addition Congress passed an act authorizing the Secretary of the Treasury to appoint special agents to take charge of captured and abandoned property. Military officers turned over to the Treasury Department such property, and the plantations around Port Royal and Beaufort were disposed of at tax sales. Some were purchased by Negroes, but the greater number went to Northerners. In the same way in North Carolina, some turpentine farms were let to Negroes, who managed them, or to whites who employed Negroes. In 1863, September 11, the whole Southern region was divided by the Treasury Department into five special agencies, each with a supervising agent for the supervision of abandoned property and labor.

Early in 1863, General Lorenzo Thomas, the adjutant general of the army, was organizing colored troops along the Mississippi River. After consulting various treasury agents and department commanders, including General Grant, and having also the approval of Mr. Lincoln, he issued from Milliken's Bend, Louisiana, April 15th, a lengthy series of instruction covering the territory bordering the Mississippi and including all the inhabitants.

He appointed three commissioners, Messrs. Field, Shickle and Livermore, to lease plantations and care for the employees. He sought to encourage private enterprises instead of government colonies; but he fixed the wages of able-bodied men over fifteen years of age at $7 per month, for able-bodied women $5 per month, for children twelve to

fifteen years, half price. He laid a tax for revenue of $2 per 400 pounds of cotton, and five cents per bushel on corn and potatoes.

This plan naturally did not work well, for the lessees of plantations proved to be for the most part adventurers and speculators. Of course such men took advantage of the ignorant people. The commissioners themselves seem to have done more for the lessees than for the laborers; and, in fact, the wages were from the beginning so fixed as to benefit and enrich the employer. Two dollars per month was charged against each of the employed, ostensibly for medical attendance, but to most plantations thus leased no physician or medicine ever came, and there were other attendant cruelties which avarice contrived.

On fifteen plantations leased by the Negroes themselves in this region there was notable success, and also a few other instances in which humanity and good sense reigned; the contracts were generally carried out. Here the Negroes were contented and grateful, and were able to lay by small gains. This plantation arrangement along the Mississippi under the commissioners as well as the management of numerous infirmary camps passed, about the close of 1863, from the War to the Treasury Department. A new commission or agency with Mr. W. P. Mellon of the treasury at the head established more careful and complete regulations than those of General Thomas. This time it was done decidedly in the interest of the laborers.

July 2, 1864, an Act of Congress authorized the treasury agents to seize and lease for one year all captured and abandoned estates and to provide for the welfare of former slaves. Property was declared abandoned when the lawful owner was opposed to paying the revenue. The Secretary of the Treasury, Fessenden, therefore issued a new series of regulations relating to freedmen and abandoned property. The rebellious States were divided into seven districts, with a general agent and special agents. Certain tracts of land in each district were set apart for the exclusive use and working of the freedmen. These reservations were called Freedmen Labor Colonies, and were under the direction of the superintendents. Schools were established, both in the Home Colonies and in the labor colonies. This new system went into operation the winter of 1864-1865, and worked well along the Atlantic Coast and Mississippi Valley. In the Department of the Gulf, however, there was discord between the treasury agents and the military authorities, and among the treasury officials themselves. The treasury agents, in many cases, became corrupt, but these regulations remained in force until the Freedmen's Bureau was organized in 1865.

By 1865, there was strong testimony as to the efficiency of the Negro worker. "The question of the freedmen being self-supporting no longer agitated the minds of careful observers."

Carl Schurz felt warranted in 1865 in asserting: "Many freedmen—not single individuals, but whole 'plantation gangs'—are working well; others are not. The difference in their efficiency coincides in a great measure with a certain difference in the conditions under which they live. The conclusion lies near, that if the conditions under which they work well become general, their efficiency as free laborers will become general also, aside from individual exceptions. Certain it is, that by far the larger portion of the work done in the South is done by freedmen!"

Whitelaw Reid said in 1865: "Whoever has read what I have written about the cotton fields of St. Helena will need no assurance that another cardinal sin of the slave, his laziness—'inborn and ineradicable,' as we were always told by his masters—is likewise disappearing under the stimulus of freedom and necessity. Dishonesty and indolence, then, were the creation of slavery, not the necessary and constitutional faults of the Negro character."

"Returning from St. Helena in 1865, Doctor Richard Fuller was asked what he thought of the experiment of free labor, as exhibited among his former slaves, and how it contrasted with the old order of things. 'I never saw St. Helena look so well,' was his instant reply; 'never saw as much land there under cultivation—never saw the same general evidences of prosperity, and never saw Negroes themselves appearing so well or so contented.' Others noticed, however, that the islands about Beaufort were in a better condition than those nearer the encampments of the United States soldiers. Wherever poultry could be profitably peddled in the camps, cotton had not been grown, nor had the Negroes developed, so readily, into industrious and orderly communities."[15] Similar testimony came from the Mississippi Valley and the West, and from Border States like Virginia and North Carolina.

To the aid of the government, and even before the government took definite organized hold, came religious and benevolent organizations. The first was the American Missionary Association, which grew out of the organization for the defense of the Negroes who rebelled and captured the slave ship *Amistad* and brought it into Connecticut in 1837. When this association heard from Butler and Pierce, it responded promptly and had several representatives at Hampton and South Carolina before the end of the year 1861. They extended their work in 1862-1863, establishing missions down the Atlantic Coast, and in Missouri, and along the Mississippi. By 1864, they had reached the Negroes in nearly all the Southern States. The reports of Pierce, Dupont and Sherman aroused the whole North. Churches and missionary societies responded. The Friends contributed. The work of

the Northern benevolent societies began to be felt, and money, clothing and, finally, men and women as helpers and teachers came to the various centers.

"The scope of our work was greatly enlarged by the arrival of white refugees—a movement which later assumed very large proportions. As time went on Cairo (Illinois) became the center of our activities in this direction. It was the most northerly of any of our camps, and served as the portal through which thousands of poor whites and Negroes were sent into the loyal states as fast as opportunities offered for providing them with homes and employment. Many of these became permanent residents; some were sent home by Union soldiers to carry on the work in the shop or on the farm which the war had interrupted. It became necessary to have a superintendent at Cairo and facilities for organizing the bands of refugees who were sent North by the army. There was an increasing demand for work."[16]

New organizations arose, and an educational commission was organized in Boston, suggested by the reports of Pierce, and worked chiefly in South Carolina. Afterward, it became the New England Freedmen's Aid Society and worked in all the Southern States. February 22, 1862, the National Freedmen's Relief Association was formed in New York City. During the first year, it worked on the Atlantic Coast, and then broadened to the whole South. The Port Royal Relief Committee of Philadelphia, later known as the Pennsylvania Freedmen's Relief Association, the National Freedmen's Relief Association of the District of Columbia, the Contraband Relief Association of Cincinnati, afterward called the Western Freedmen's Commission, the Women's Aid Association of Philadelphia and the Friends' Associations, all arose and worked. The number increased and extended into the Northwest. The Christian Commission, organized for the benefit of soldiers, turned its attention to Negroes. In England, at Manchester and London, were Freedmen's Aid Societies which raised funds; and funds were received from France and Ireland.

Naturally, there was much rivalry and duplication of work. A union of effort was suggested in 1862 by the Secretary of the Treasury and accomplished March 22, 1865, when the American Freedmen's Union Commission was incorporated, with branches in the chief cities. Among its officers were Chief Justice Chase and William Lloyd Garrison. In 1861, two large voluntary organizations to reduce suffering and mortality among the freedmen were formed. The Western Sanitary Commission at St. Louis, and the United States Sanitary Commission at Washington, with branches in leading cities, then began to relieve the distress of the freedmen. Hospitals were improved, supplies distributed, and Yeatman's plan for labor devised.

Destitute white refugees were helped to a large extent. But even then, all of these efforts reached but a small portion of the mass of people freed from slavery.

Late in 1863, President Yeatman of the Western Sanitary Commission visited the freedmen in the Mississippi Valley. He saw the abuses of the leasing system and suggested a plan for organizing free labor and leasing plantations. It provided for a bureau established by the government to take charge of leasing land, to secure justice and freedom to the freedmen; hospital farms and homes for the young and aged were to be established; schools with compulsory attendance were to be opened. Yeatman accompanied Mellon, the agent of the department, to Vicksburg in order to inaugurate the plan and carry it into effect. His plan was adopted by Mellon, and was, on the whole, the most satisfactory.

Thus, confusion and lack of system were the natural result of the general strike. Yet, the Negroes had accomplished their first aim in those parts of the South dominated by the Federal army. They had largely escaped from the plantation discipline, were receiving wages as free laborers, and had protection from violence and justice in some sort of court.

About 20,000 of them were in the District of Columbia; 100,000 in Virginia; 50,000 in North Carolina; 50,000 in South Carolina, and as many more each in Georgia and Louisiana. The Valley of the Mississippi was filled with settlers under the Treasury Department and the army. Here were nearly 500,000 former slaves. But there were 3,500,000 more. These Negroes needed only the assurance that they would be freed and the opportunity of joining the Northern army. In larger and larger numbers, they filtered into the armies of the North. And in just the proportion that the Northern armies became in earnest, and proposed actually to force the South to stay in the Union, and not to make simply a demonstration, in just such proportion the Negroes became valuable as laborers, and doubly valuable as withdrawing labor from the South. After the first foolish year when the South woke up to the fact that there was going to be a real, long war, and the North realized just what war meant in blood and money, the whole relation of the North to the Negro and the Negro to the North changed.

The position of the Negro was strategic. His was the only appeal which would bring sympathy from Europe, despite strong economic bonds with the South, and prevent recognition of a Southern nation built on slavery. The free Negroes in the North, together with the Abolitionists, were clamoring. To them a war against the South simply had to be a war against slavery. Gradually, Abolitionists no

longer need fear the mob. Disgruntled leaders of church and state began to talk of freedom. Slowly but surely an economic dispute and a political test of strength took on the aspects of a great moral crusade.

The Negro became in the first year contraband of war; that is, property belonging to the enemy and valuable to the invader. And in addition to that, he became, as the South quickly saw, the key to Southern resistance. Either these four million laborers remained quietly at work to raise food for the fighters, or the fighter starved. Simultaneously, when the dream of the North for man-power produced riots, the only additional troops that the North could depend on were 200,000 Negroes, for without them, as Lincoln said, the North could not have won the war.

But this slow, stubborn mutiny of the Negro slave was not merely a matter of 200,000 black soldiers and perhaps 300,000 other black laborers, servants, spies and helpers. Back of this half million stood 3½ million more. Without their labor the South would starve. With arms in their hands, Negroes would form a fighting force which could replace every single Northern white soldier fighting listlessly and against his will with a black man fighting for freedom.

This action of the slaves was followed by the disaffection of the poor whites. So long as the planters' war seemed successful, "there was little active opposition by the poorer whites; but the conscription and other burdens to support a slaveowners' war became very severe; the whites not interested in that cause became recalcitrant, some went into active opposition; and at last it was more desertion and disunion than anything else that brought about the final overthrow." [17]

Phillips says that white mechanics in 1861 demanded that the permanent Confederate Constitution exclude Negroes from employment "except agricultural domestic service, so as to reserve the trades for white artisans." Beyond this, of course, was a more subtle reason that, as the years went on, very carefully developed and encouraged for a time the racial aspect of slavery. Before the war, there had been intermingling of white and black blood and some white planters openly recognized their colored sons, daughters and cousins and took them under their special protection. As slavery hardened, the racial basis was emphasized; but it was not until war time that it became the fashion to pat the disfranchised poor white man on the back and tell him after all he was white and that he and the planters had a common object in keeping the white man superior. This virus increased bitterness and relentless hatred, and after the war it became a chief ingredient in the division of the working class in the Southern States.

At the same time during the war even the race argument did not keep the Southern fighters from noticing with anger that the big

slaveholders were escaping military service; that it was a "rich man's war and the poor man's fight." The exemption of owners of twenty Negroes from military service especially rankled; and the wholesale withdrawal of the slaveholding class from actual fighting which this rule made possible, gave rise to intense and growing dissatisfaction.

It was necessary during these critical times to insist more than usual that slavery was a fine thing for the poor white. Except for slavery, it was said: " 'The poor would occupy the position in society that the slaves do—as the poor in the North and in Europe do,' for there must be a menial class in society and in 'every civilized country on the globe, besides the Confederate states, the poor are the inferiors and menials of the rich.' Slavery was a greater blessing to the non-slaveholding poor than to the owners of slaves, and since it gave the poor a start in society that it would take them generations to work out, they should thank God for it and fight and die for it as they would for their 'own liberty and the dearest birthright of freemen.' " [18]

But the poor whites were losing faith. They saw that poverty was fighting the war, not wealth.

"Those who could stay out of the army under color of the law were likely to be advocates of a more numerous and powerful army. . . . Not so with many of those who were not favored with position and wealth. They grudgingly took up arms and condemned the law which had snatched them from their homes. . . . The only difference was the circumstance of position and wealth, and perhaps these were just the things that had caused heartburnings in more peaceful times.

"The sentiments of thousands in the upland countries, who had little interest in the war and who were not accustomed to rigid centralized control, was probably well expressed in the following epistle addressed to President Davis by a conscript. . . .

". . . 'It is with intense and multifariously proud satisfaction that he [the conscript] gazes for the last time upon our holy flag—that symbol and sign of an adored trinity, cotton, niggers and chivalry.' " [19]

This attitude of the poor whites had in it as much fear and jealousy of Negroes as disaffection with slave barons. Economic rivalry with blacks became a new and living threat as the blacks became laborers and soldiers in a conquering Northern army. If the Negro was to be free where would the poor white be? Why should he fight against the blacks and his victorious friends? The poor white not only began to desert and run away; but thousands followed the Negro into the Northern camps.

Meantime, with perplexed and laggard steps, the United States Government followed the footsteps of the black slave. It made no difference how much Abraham Lincoln might protest that this was not a

war against slavery, or ask General McDowell "if it would not be well to allow the armies to bring back those fugitive slaves which have crossed the Potomac with our troops" (a communication which was marked "secret"). It was in vain that Lincoln rushed entreaties and then commands to Frémont in Missouri, not to emancipate the slaves of rebels, and then had to hasten similar orders to Hunter in South Carolina. The slave, despite every effort, was becoming the center of war. Lincoln, with his uncanny insight, began to see it. He began to talk about compensation for emancipated slaves, and Congress, following almost too quickly, passed the Confiscation Act in August, 1861, freeing slaves which were actually used in war by the enemy. Lincoln then suggested that provision be made for colonization of such slaves. He simply could not envisage free Negroes in the United States. What would become of them? What would they do? Meantime, the slave kept looming. New Orleans was captured and the whole black population of Louisiana began streaming toward it. When Vicksburg fell, the center of perhaps the vastest Negro population in North America was tapped. They rushed into the Union lines. Still Lincoln held off and watched symptoms. Greeley's "Prayer of Twenty Millions" received the curt answer, less than a year before Emancipation, that the war was not to abolish slavery, and if Lincoln could hold the country together and keep slavery, he would do it.

But he could not, and he had no sooner said this than he began to realize that he could not. In June, 1862, slavery was abolished in the territories. Compensation with possible colonization was planned for the District of Columbia. Representatives and Senators from the Border States were brought together to talk about extending this plan to their states, but they hesitated.

In August, Lincoln faced the truth, front forward; and that truth was not simply that Negroes ought to be free; it was that thousands of them were already free, and that either the power which slaves put into the hands of the South was to be taken from it, or the North could not win the war. Either the Negro was to be allowed to fight, or the draft itself would not bring enough white men into the army to keep up the war.

More than that, unless the North faced the world with the moral strength of declaring openly that they were fighting for the emancipation of slaves, they would probably find that the world would recognize the South as a separate nation; that ports would be opened; that trade would begin, and that despite all the military advantage of the North, the war would be lost.

In August, 1862, Lincoln discussed Emancipation as a military measure; in September, he issued his preliminary proclamation; on

January 1, 1863, he declared that the slaves of all persons in rebellion were "henceforward and forever free."

The guns at Sumter, the marching armies, the fugitive slaves, the fugitives as "contrabands," spies, servants and laborers; the Negro as soldier, as citizen, as voter—these steps came from 1861 to 1868 with regular beat that was almost rhythmic. It was the price of the disaster of war, and it was a price that few Americans at first dreamed of paying or wanted to pay. The North was not Abolitionist. It was overwhelmingly in favor of Negro slavery, so long as this did not interfere with Northern moneymaking. But, on the other hand, there was a minority of the North who hated slavery with perfect hatred; who wanted no union with slaveholders; who fought for freedom and treated Negroes as men. As the Abolition-democracy gained in prestige and in power, they appeared as prophets, and led by statesmen, they began to guide the nation out of the morass into which it had fallen. They and their black friends and the new freedmen became gradually the leaders of a Reconstruction of Democracy in the United States, while marching millions sang the noblest war-song of the ages to the tune of "John Brown's Body":

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Mine eyes have seen the glory of the coming of the Lord,
He is trampling out the vintage where the grapes of wrath are stored,
He hath loosed the fateful lightning of his terrible swift sword,
His Truth is marching on!

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1. *Public Opinion Before and After the Civil War,* p. 4.
2. Williams, *History of the Negro Race in America,* II, p. 244.
3. Oberholtzer, *Abraham Lincoln,* p. 263.
4. *Results of Emancipation in the United States of America* by a Committee of the American Freedman's Union Commission in 1867, p. 6.
5. *Journal of Negro History,* X, p. 134.
6. Eaton, *Grant, Lincoln and the Freedmen,* p. 2.
7. *Results of Emancipation in the United States of America* by a Committee of the American Freedman's Union Commission in 1867, p. 21.
8. Brown, *Four Years in Secessia,* p. 368.
9. Ashe and Tyler, *Secession, Insurrection of the Negroes, and Northern Incendiarism,* p. 12.
10. Eaton, *Grant, Lincoln and the Freedmen,* pp. 2, 3, 19, 22, 134.
11. Eaton, *Grant, Lincoln and the Freedmen,* p. 22.
12. Eaton, *Grant, Lincoln and the Freedmen,* p. 166.
13. Pierce, "Freedmen at Port Royal," *Atlantic Monthly,* XII, p. 310.
14. *Testimony Before Reconstruction Committee,* February 21, 1866, Part II, p. 221.
15. Taylor, *Reconstruction in South Carolina,* pp. 29, 30.
16. Eaton, *Grant, Lincoln and the Freedmen,* pp. 37, 38.
17. Campbell, *Black and White in the Southern States,* p. 165.
18. Moore, *Conscription and Conflict in the Confederacy,* p. 145.
19. Moore, *Conscription and Conflict in the Confederacy,* pp. 18-20.

# V. THE COMING OF THE LORD

How the Negro became free because the North could not win the Civil War if he remained in slavery. And how arms in his hands, and the prospect of arms in a million more black hands, brought peace and emancipation to America

Three movements, partly simultaneous and partly successive, are treated in different chapters. In the last chapter, we chronicled the swarming of the slaves to meet the approaching Union armies; in this we consider how these slaves were transformed in part from laborers to soldiers fighting for their own freedom; and in succeeding chapters, we shall treat the organization of free labor after the war.

In the ears of the world, Abraham Lincoln on the first of January, 1863, declared four million slaves "thenceforward and forever free." The truth was less than this. The Emancipation Proclamation applied only to the slaves of those states or parts of states still in rebellion against the United States government. Hundreds of thousands of such slaves were already free by their own action and that of the invading armies, and in their cases, Lincoln's proclamation only added possible legal sanction to an accomplished fact.

To the majority of slaves still within the Confederate lines, the proclamation would apply only if they followed the fugitives. And this Abraham Lincoln determined to induce them to do, and thus to break the back of the rebellion by depriving the South of its principal labor force.

Emancipation had thus two ulterior objects. It was designed to make easier the replacement of unwilling Northern white soldiers with black soldiers; and it sought to put behind the war a new push toward Northern victory by the mighty impact of a great moral ideal, both in the North and in Europe.

This national right-about-face had been gradually and carefully accomplished only by the consummate tact of a leader of men who went no faster than his nation marched but just as fast; and also by the unwearying will of the Abolitionists, who forced the nation onward.

Wendell Phillips said in Washington in 1862:

"Gentlemen of Washington! You have spent for us two million dollars per day. You bury two regiments a month, two thousand men by disease without battle. You rob every laboring man of one-half of

his pay for the next thirty years by your taxes. You place the curse of intolerable taxation on every cradle for the next generation. What do you give us in return? What is the other side of the balance sheet? The North has poured out its blood and money like water; it has leveled every fence of constitutional privilege, and Abraham Lincoln sits today a more unlimited despot than the world knows this side of China. What does he render the North for this unbounded confidence? Show us something; or I tell you that within two years the indignant reaction of the people will hurl the cabinet in contempt from their seats, and the devils that went out from yonder capital, for there has been no sweeping or garnishing, will come back seven times stronger; for I do not believe that Jefferson Davis, driven down to the Gulf, will go down to the waters and perish as certain brutes mentioned in the Gospel did."

Horace Greeley was at Lincoln's heels. He wrote in August, 1862, his editorial, "Prayer of Twenty Millions," which drew Lincoln's well-known reply: "If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union and is not either to save or to destroy slavery. If I could save the Union without freeing any slaves, I would do it; and if I could save it by freeing all the slaves, I would also do that. What I do about slavery and the colored race, I do because I believe it would help to save the Union. . . ."

"Suppose I do that," said Lincoln to Greeley, discussing general emancipation. "There are now 20,000 of our muskets on the shoulders of Kentuckians who are bravely fighting our battles. Every one of them will be thrown down or carried over to the rebels."

"Let them do it," said Greeley. "The cause of the Union will be stronger if Kentucky should secede with the rest, than it is now."

In September, 1862, Lincoln said to representatives of the Chicago Protestants:

"I admit that slavery is at the root of the rebellion, or at least its sine qua non. . . . I will also concede that Emancipation would help us in Europe. . . . I grant, further, that it would help somewhat at the North, though not so much, I fear, as you and those you represent imagine. . . . And then, unquestionably, it would weaken the Rebels by drawing off their laborers, which is of great importance; but I am not so sure we could do much with the Blacks. If we were to arm them, I fear that in a few weeks the arms would be in the hands of the Rebels. . . .

"What good would a proclamation of Emancipation from me do, especially as we are now situated? I do not want to issue a document that the whole world will see must necessarily be inoperative, like the Pope's bull against the comet. . . ."[1]

Nevertheless, just nine days later, Lincoln issued his preliminary Emancipation Proclamation. What caused the sudden change? Was it the mounting mass of Negroes rushing into Union lines? Was it the fighting of Negro soldiers which showed that weapons given to them were never found in the hands of Confederates, or was it the curious international situation?

The failure or success of the war hung by a thread. If England and France should recognize the Confederacy, there was little doubt that the Union cause would be beaten; and they were disposed to recognize it. Or did Lincoln realize that since a draft law was needed to make unwilling Northern soldiers fight, black soldiers were the last refuge of the Union? The preliminary proclamation came in September, and in October and November mass meetings in New York and Brooklyn denounced the proposal as inexpedient and adopted resolutions against it with jeers. Ministers, like the Reverend Albert Barnes of Philadelphia, preached against emancipation, declaring that the control of slavery ought to be left absolutely and exclusively to the states. The New York *Herald* pointed out that even if the proclamation was effective, slave property would have to be restored or paid for eventually by the United States government. "The *Herald* is correct. The slaves taken from our citizens during the war have to be accounted for at its end, either by restoration or indemnity."[2] The New Orleans *Picayune* pointed out in November that abolition would flood the North with Negroes, and that this would "tend to degrade white labor and to cheapen it."

The final proclamation was issued January 1, 1863, and carried a special admonition to the colored people:

"And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

"And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

"And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God."

The Charleston *Courier* jeered:

"The Pope's bull against the comet has been issued, and I suppose Mr. Lincoln now breathes more freely. The wonderful man by a dash of his wonderful pen has set free (on paper) all the slaves of the South, and henceforth this is to be in all its length and breadth the land of liberty! . . .

"Meanwhile, I would invite his own and the attention of all his deluded followers to a paragraph in the late number of the New Orleans *Picayune,* wherein it is stated that inquests had been held upon the bodies of 21 contrabands in one house alone in that city. These poor Negroes had been stolen or enticed away from the comfortable homes of their masters, and left to starve and rot by these philanthropic (?) advocates of liberty for the slave." [3]

The Savannah *Republican* in March declared:

"In our judgment, so far as the Border States are concerned, his proposition will have exactly the opposite effect to that for which it was designed. Those states, who have held on to the Union with the belief that their Southern sisters were hasty and wrong in the belief that they were about to be brought under an abolition government, will now see that they were right and that all their worst apprehensions have been justified by the acts of that government."

Beauregard sent an impudent telegram to Miles at Richmond:

"Has the bill for the execution of abolition prisoners, after January next, been passed? Do it, and England will be stirred into action. It is high time to proclaim the black flag after that period; let the execution be with the garrote."

The reaction to emancipation in the North was unfavorable so far as political results indicated, although many motives influenced the voters. The elections of 1862 in New York, New Jersey, Pennsylvania, Ohio, Indiana and Illinois went Democratic, and in other parts of the West, Lincoln lost support. In the Congress of 1860, there were seventy-eight Republicans and thirty-seven Democrats, and in 1862, the administration had only fifty-seven supporters, with sixty-seven in the opposition.

Only among Negroes and in England was the reaction favorable, and both counted. The Proclamation made four and a half million laborers willing almost in mass to sacrifice their last drop of blood for their new-found country. It sent them into transports of joy and sacrifice. It changed all their pessimism and despair into boundless faith. It was the Coming of the Lord.

The Proclamation had an undoubted and immediate effect upon England. The upper classes were strongly in favor of the Confederacy, and sure that the Yankees were fighting only for a high tariff and

hurt vanity. Free-trade England was repelled by this program, and attracted by the free trade which the Confederacy offered. There was strong demand among manufacturers to have the government interfere and recognize the Southern States as an independent nation. The church and universities were in favor of the Confederacy, and all the great periodicals. Even the philanthropists, like Lord Shaftesbury, Carlyle, Buxton and Gladstone, threw their sympathies to the South. Carlyle sneered at people "cutting each other's throats because one-half of them prefer hiring their servants for life, and the other by the hour." [4]

As Henry Adams assures us:

"London was altogether beside itself on one point, in especial; it created a nightmare of its own, and gave it the shape of Abraham Lincoln. Behind this it placed another demon, if possible more devilish, and called it Mr. Seward. In regard to these two men, English society seemed demented. Defense was useless; explanation was vain; one could only let the passion exhaust itself. One's best friends were as unreasonable as enemies, for the belief in poor Mr. Lincoln's brutality and Seward's ferocity became a dogma of popular faith." [5]

Confederate warships were being built and harbored in English ports and in September, 1862, Palmerston, believing that the Confederates were about to capture Washington, suggested intervention to members of his cabinet. Lord John Russell wanted to act immediately, but the rebels were driven back at Antietam the same month, and the preliminary Emancipation Proclamation appeared. Gladstone and Russell still tried to force intervention, but Palmerston hesitated.

There was similar demand in France, but not as strong, because cotton did not play so large a part. Nevertheless, the textile workers in both France and England were hard-pressed by the cotton famine. Napoleon III was in favor of the South, but the mass of the French nation was not. Napoleon was assured by the Confederate government that a Southern alliance with French Mexico and a guaranty of Cuba could be had for the asking, if France would recognize the Confederacy. No danger from the North was anticipated, for Seward was certain to accept Napoleon's assurances of France's neutrality.

Public opinion stood back of the English government and was, on the whole, in favor of the South; but Garrison and Douglass by their visits, and later Harriet Beecher Stowe, had influenced the opinion of the middle and laboring classes. Nevertheless, it was reported in 1862: "We find only here and there among the Englishmen one who does not fanatically side with the slave states." Various meetings in favor of the South were arranged by the workingmen and the General Council of Workingmen's Associations opposed the pro-Southern

movement. The war had created a great scarcity of cotton, and in addition to this, there had already been an over-production of the cotton industry in England in 1860, so that the effect of the blockade was not felt until later, so far as the sale of goods was concerned. But the factories closed, and more than half the looms and spindles lay idle. Especially in Lancashire there was great distress among laborers. Fever and prostitution were prevalent in 1865.

Notwithstanding this, the English workers stood up for the abolition of Negro slavery, and protested against the intervention of the English. Up until 1863, it was argued with some show of right that the North was not fighting to free the slaves; but on the contrary, according to Lincoln's own words, "was perfectly willing to settle the war and leave the Negroes in slavery." But as soon as Lincoln issued the Emancipation Proclamation, the workingmen of England held hundreds of meetings all over the country and in all industrial sections, and hailed his action.

Ernest Jones, the leader of the Chartist movement, raised his eloquent voice against slavery. During the winter of 1862-1863, meeting after meeting in favor of emancipation was held. The reaction in England to the Emancipation Proclamation was too enthusiastic for the government to dare take any radical step. Great meetings in London and Manchester stirred the nation, and gave notice to Palmerston that he could not yet take the chance of recognizing the South. In spite of Russell and Gladstone, he began to withdraw, and the imminent danger of recognition of the South by England and France passed.

In the monster meeting of English workingmen at St. James' Hall, London, March 26, 1863, John Bright spoke; and John Stuart Mill declared that: "Higher political and social freedom has been established in the United States." Karl Marx testified that this meeting held in 1863 kept Lord Palmerston from declaring war against the United States. On December 31, 1863, at meetings held simultaneously in London and Manchester, addresses were sent to Lincoln, drafted by Karl Marx. The London address said:

"Sir: We who offer this address are Englishmen and workingmen. We prize as our dearest inheritance, bought for us by the blood of our fathers, the liberty we enjoy—the liberty of free labor on a free soil. We have, therefore, been accustomed to regard with veneration and gratitude the founders of the great republic in which the liberties of the Anglo-Saxon race have been widened beyond all the precedents of the old world, and in which there was nothing to condemn or to lament but the slavery and degradation of men guilty only of a colored skin or an African parentage. We have looked with admiration and sympathy upon the brave, generous and untiring efforts of a large

party in the Northern States to deliver the Union from this curse and shame. We rejoiced, sir, in your election to the Presidency, as a splendid proof that the principles of universal freedom and equality were rising to the ascendant. We regarded with abhorrence the conspiracy and rebellion by which it was sought at once to overthrow the supremacy of a government based upon the most popular suffrage in the world, and to perpetuate the hateful inequalities of race." [6]

The Manchester address, adopted by six thousand people, said among other things:

"One thing alone has, in the past, lessened our sympathy with your country and our confidence in it; we mean the ascendancy of politicians who not merely maintained Negro slavery, but desired to extend and root it more deeply. Since we have discerned, however, that the victory of the free North in the war which has so sorely distressed us as well as afflicted you, will shake off the fetters of the slave, you have attracted our warm and earnest sympathy.

"We joyfully honor you, as the President, and the Congress with you, for the many decisive steps towards practically exemplifying your belief in the words of your great founders: 'All men are created free and equal.' . . .

"We assume that you cannot now stop short of a complete uprooting of slavery. It would not become us to dictate any details, but there are broad principles of humanity which must guide you. If complete emancipation in some states be deferred, though only to a predetermined day, still, in the interval, human beings should not be counted chattels. Woman must have rights of chastity and maternity, men the rights of husbands; masters the liberty of manumission. Justice demands for the black, no less than for the white, the protection of the law—that his voice may be heard in your courts. Nor must any such abomination be tolerated as slave-breeding States and a slave market—if you are to earn the high reward of all your sacrifices in the approval of the universal brotherhood and of the Divine Father. It is for your free country to decide whether anything but immediate and total emancipation can secure the most indispensable rights of humanity, against the inveterate wickedness of local laws and local executives.

"We implore you, for your own honor and welfare, not to faint in your providential mission. While your enthusiasm is aflame, and the tide of events runs high, let the work be finished effectually. Leave no root of bitterness to spring up and work fresh misery to your children. It is a mighty task, indeed, to reorganize the industry, not only of four millions of the colored race, but of five millions of whites.

Nevertheless, the vast progress you have made in the short space of twenty months fills us with hope that every stain on your freedom will shortly be removed, and that the erasure of that foul blot upon civilization and Christianity—chattel slavery—during your Presidency, will cause the name of Abraham Lincoln to be honored and revered by posterity." [7]

Lincoln in reply said that he knew the suffering of the workingmen in Manchester and Europe in this crisis, and appreciated the action of the English workingmen as an example of "sublime Christian heroism," which "has not been surpassed in any age or in any country." He declared that the Civil War was "the attempt to overthrow this government, which was built upon a foundation of human rights, and to substitute one which should rest exclusively on the basis of human slavery."

In the North, the Emancipation Proclamation meant the Negro soldier, and the Negro soldier meant the end of the war.

"We have come to set you free!" cried the black cavalrymen who rode at the head of the Union Army as it entered Richmond in 1864. These soldiers were in the division of Godfrey Weitzel; when Ben Butler first assigned Negro troops to Weitzel's command in Louisiana, Weitzel resigned. It was a good thing for him that he recalled this resignation, for his black soldiers at Port Hudson wrote his name in history.

Here was indeed revolution. At first, this was to be a white man's war. First, because the North did not want to affront the South, and the war was going to be short, very short; and secondly, if Negroes fought in the war, how could it help being a war for their emancipation? And for this the North would not fight. Yet scarcely a year after hostilities started, the Negroes were fighting, although unrecognized as soldiers; in two years they were free and enrolling in the army.

Private Miles O'Reilly expressed in the newspapers a growing public opinion:

"Some say it is a burnin' shame
To make the naygurs fight,
An' that the thrade o' bein' kilt
Belongs but to the white;

"But as for me 'upon me sowl'
So liberal are we here,
I'll let Sambo be murthered in place o' meself
On every day in the year."

In December, 1861, Union officers were ordered not to return fugitive slaves on pain of court-martial. In 1862 came Hunter's black regiment in South Carolina.

In the spring of 1862, General Hunter had less than eleven thousand men under his command, and had to hold the whole broken seacoast of Georgia, South Carolina and Florida. He applied often and in vain to the authorities at Washington for reënforcements. All the troops available in the North were less than sufficient for General McClellan's great operations against Richmond, and the reiterated answer of the War Department was: "You must get along as best you can. Not a man from the North can be spared."

"No reënforcements to be had from the North; vast fatigue duties in throwing up earthworks imposed on our insufficient garrison; the enemy continually increasing, both in insolence and numbers; our only success the capture of Fort Pulaski, sealing up Savannah; and this victory offset, if not fully counterbalanced, by many minor gains of the enemy; this was about the condition of affairs as seen from the headquarters fronting Port Royal bay, when General Hunter one morning, 'with twirling glasses, puckered lips and dilated nostrils' [he had just received another "don't-bother-us-for-reënforcements" dispatch from Washington] announced his intention of 'forming a Negro regiment, and compelling every able-bodied black man in the department to fight for the freedom which could not but be the issue of our war.'"[8]

Hunter caused all the necessary orders to be issued, and took upon himself the responsibility for the irregular issue of arms, clothing, equipments and rations involved in collecting and organizing the first experimental Negro regiments.

Reports of the organization of the First South Carolina Infantry were forwarded to headquarters in Washington, and the War Department took no notice. Nothing was said, nor was any authority given to pay the men or furnish them subsistence. But at last a special dispatch steamer plowed her way over the bar with word from the War Department, "requiring immediate answer."

It was a demand for information in regard to the Negro regiment, based on a resolution introduced by Wickliffe of Kentucky. These resolutions had been adopted by Congress. Hunter laughed, but as he was without authority for any of his actions in this case, it seemed to his worried Adjutant-General that the documents in his hands were no laughing matter. But Hunter declared:

"That old fool has just given me the very chance I was growing sick for! The War Department has refused to notice my black regiment; but now, in reply to this resolution, I can lay the matter before the

country, and force the authorities either to adopt my Negroes, or to disband them." [9]

So Hunter wrote: "No regiment of 'fugitive slaves' has been, or is being, organized in this department. There is, however, a fine regiment of loyal persons whose late masters are fugitive rebels." He said that he did this under instructions given by the late Secretary of War, and his general authority to employ "all loyal persons offering their service in defense of the Union." He added:

"Neither have I had any specific authority for supplying these persons with shovels, spades, and pickaxes, when employing them as laborers; nor with boats and oars, when using them as lighter-men; but these are not points included in Mr. Wickliffe's resolutions. To me it seemed that liberty to employ men in any particular capacity implied and carried with it liberty, also, to supply them with the necessary tools; and, acting upon this faith, I have clothed, equipped and armed the only loyal regiment yet raised in South Carolina, Georgia or Florida. . . .

"The experiment of arming the blacks, so far as I have made it, has been a complete and even marvelous success. They are sober, docile, attentive, and enthusiastic; displaying great natural capacities in acquiring the duties of the soldier. They are now eager beyond all things to take the field and be led into action; and it is the unanimous opinion of the officers who have had charge of them that, in the peculiarities of this climate and country, they will prove invaluable auxiliaries, fully equal to the similar regiments so long and successfully used by the British authorities in the West India Islands.

"In conclusion, I would say, it is my hope—there appearing no possibility of other reënforcements, owing to the exigencies of the campaign in the Peninsula—to have organized by the end of next fall, and be able to present to the government, from forty-eight to fifty thousand of these hardy and devoted soldiers."

When the reply was read in the House of Representatives: "Its effects were magical. The clerk could scarcely read it with decorum; nor could half his words be heard amidst the universal peals of laughter in which both Democrats and Republicans appeared to vie as to which should be the more noisy. . . . It was the great joke of the day, and coming at a moment of universal gloom in the public mind, was seized upon by the whole loyal press of the country as a kind of politico-military champagne cocktail."

When the Confederate Government heard of this, it issued an order reciting that "as the government of the United States had refused to answer whether it authorized the raising of a black regiment by General Hunter or not," said general, his staff, and all officers under his

command who had directly or indirectly participated in the unclean thing, should hereafter be outlaws not covered by the laws of war; but to be executed as felons for the crime of "inciting Negro insurrection wherever caught."

In Louisiana, the colored creoles in many cases hesitated. Some of them had been owners of slaves, and some actually fought in the Confederate Army, but were not registered as Negroes. On November 23, 1861, the Confederate grand parade took place in New Orleans, and one feature of the review was a regiment of free men of color, 1,400 in number. The *Picayune* speaks of a later review on February 9, 1862:

"We must pay deserved compliment to the companies of free men of color, all well-dressed, well-drilled, and comfortably uniformed. Most of these companies have provided themselves with arms unaided by the administration."

When Butler entered the city in 1862, the Confederates fled tumultuously or laid aside their uniforms and stayed. The free Negro regiment did neither, but offered its services to the Federal army. Butler at first was in a quandary.

"The instructions given by General McClellan to General Butler were silent on this most perplexing problem. On leaving Washington, Butler was verbally informed by the President, that the government was not yet prepared to announce a Negro policy. They were anxiously considering the subject, and hoped, ere long, to arrive at conclusions." [10]

Butler found the Negroes of great help to him, but he could not, as in Virginia, call them "contraband," because he had no work for them. He wanted to free them, but on May 9, the news came that Hunter's proclamation in South Carolina had been revoked. Butler, however, abolished the whipping houses, and encouraged the Negroes who called on him. "One consequence was that the general had a spy in every house, behind each rebel's chair, as he sat at table."

General Butler asked for reënforcements all summer on account of the growing strength of Vicksburg and Port Hudson, the condition of Mobile and camps near New Orleans. The answer from Washington was: "We cannot spare you one man; we will send you men when we have them to send. You must hold New Orleans by all means and at all hazards."

Earlier, General Phelps, who commanded the Federal forces about seven miles from New Orleans, had received a number of refugees, some of them in chains and some of them bleeding from wounds. Butler ordered him May 23, 1862, to exclude these from his lines. He replied at length:

"Added to the four millions of the colored race whose disaffection is increasing even more rapidly than their number, there are at least four millions more of the white race whose growing miseries will naturally seek companionship with those of the blacks."

He demanded that the President should abolish slavery, and that the Negroes be armed. Butler forwarded Phelps' reply to Washington. Phelps again demanded the right to arm Negro troops. He was ordered July 1, 1862, to use the Negroes to cut wood. He immediately handed in his resignation, saying:

"I am willing to prepare African regiments for the defense of the government against its assailants. I am not willing to become the mere slave-driver which you propose, having no qualifications in that way." [11]

The use of Negro troops was precipitated by the attack which Breckinridge made August 5, 1862, on Baton Rouge. Butler had to have troops to defend New Orleans, and had applied to Washington, but none could be sent. Therefore, by proclamation, August 22, 1862, Butler "called on Africa," accepted the free Negro regiment which had offered its services, and proceeded to organize other Negro troops. He recited at length the previous action of the Confederate Governor in organizing the Negro regiment, April 23, 1861, and quoted directly from the Confederate Governor's proclamation:

"Now, therefore, the Commanding General, believing that a large portion of this militia force of the State of Louisiana are willing to take service in the volunteer forces of the United States, and be enrolled and organized to 'defend their homes' from 'ruthless invaders'; to protect their wives and children and kindred from wrong and outrage; to shield their property from being seized by bad men; and to defend the flag of their native country, as their fathers did under Jackson at Chalmette against Packenham and his myrmidons, carrying the black flag of 'beauty and booty':

"Appreciating their motives, relying upon their 'well-known loyalty and patriotism,' and with 'praise and respect' for these brave men—it is ordered that all the members of the 'Native Guards' aforesaid, and all other free colored citizens recognized by the first and late governor and authorities of the State of Louisiana, as a portion of the militia of the State, who shall enlist in the volunteer service of the United States, shall be duly organized by the appointment of proper officers, and accepted, paid, equipped, armed and rationed as are other volunteer troops of the United States, subject to the approval of the President of the United States." [12]

Thousands of volunteers under Butler's appeal appeared. In fourteen days, a regiment was organized with colored line officers and

white field officers. More than half of the privates were not really free Negroes but fugitive slaves. A second regiment with colored line officers was enlisted, and a third, with colored mess officers.

In the Kansas Home Guard were two regiments of Indians, and among them over four hundred Negroes; and 2,500 Negroes served in the contingent that came from the Indian nations. Many of them enlisted early in 1862.

In the meantime, the war was evidently more than a dress parade or a quick attack upon Richmond. One hundred thousand "three months" soldiers were but a "drop in the bucket." More and more troops must be had. The time of enlistment for many of the white troops was already expiring, and at least Negro troops could be used on fatigue duty in the large stretches of territory held by the Federal armies down the Atlantic Coast, and in the Mississippi Valley, and in the Border States.

Senator Henry Wilson of Massachusetts, Chairman of the Senate Committee on Military Affairs, introduced a bill in July, 1862, which empowered the President to accept Negroes for constructing entrenchments, or any other war service for which they might be found competent. If owned by rebels, such Negroes were to be freed, but nothing was said of their families. Thaddeus Stevens championed the bill in the House, and it was signed by Lincoln, July 17, 1862.

The debate was bitter. Senator Sherman of Ohio said:

"The question rises, whether the people of the United States, struggling for national existence, should not employ these blacks for the maintenance of the Government. The policy heretofore pursued by the officers of the United States has been to repel this class of people from our lines, to refuse their services. They would have made the best spies; and yet they have been driven from our lines."

Fessenden of Maine added: "I tell the generals of our army, they must reverse their practices and their course of proceeding on this subject. . . . I advise it here from my place—treat your enemies as enemies, as the worst of enemies, and avail yourselves like men, of every power which God has placed in your hands, to accomplish your purpose within the rules of civilized warfare." Race, of Minnesota, declared that "not many days can pass before the people of the United States North must decide upon one or two questions: we have either to acknowledge the Southern Confederacy as a free and independent nation, and that speedily; or we have as speedily to resolve to use all the means given us by the Almighty to prosecute this war to a successful termination. The necessity for action has arisen. To hesitate is worse than criminal." The Border States demurred, and Davis of Kentucky was especially bitter with threats.

The bill finally was amended so as to pay the black soldier's bounty to his owner, if he happened to be a slave!

All that was simply permissive legislation, and for a time the War Department did nothing. Some of the commanders in the field, however, began to move. On the other hand, Senator Davis of Kentucky tried in January, 1863, to stop the use of any national appropriations to pay Negro soldiers. This attempt was defeated, and on January 6, 1863, five days after the Emancipation Proclamation, the Secretary of War authorized the Governor of Massachusetts to raise two Negro regiments for three years' service. These were the celebrated 54th and 55th Negro regiments—the first regularly authorized Negro regiments of the war.

The recruiting of the 54th Massachusetts Regiment of colored men was completed by the 13th of May. It had been planned to have the regiment pass through New York, but the Chief of Police warned that it would be subject to insult, so that it went by sea to South Carolina.

In October, the Adjutant-General of the United States issued a general order permitting the military employment of Negroes. The Union League Club of New York appointed a committee to raise Negro troops, and after some difficulty with Governor Seymour, they received from Washington authority to raise a regiment. One thousand Negroes responded within two weeks, and by January 27, 1864, a second regiment was raised. No bounty was offered them, and no protection promised their families. One of the regiments marched through the city.

"The scene of yesterday," says a New York paper, "was one which marks an era of progress in the political and social history of New York. A thousand men with black skins and clad and equipped with the uniforms and arms of the United States Government, marched from their camp through the most aristocratic and busy streets, received a grand ovation at the hands of the wealthiest and most respectable ladies and gentlemen of New York, and then moved down Broadway to the steamer which bears them to their destination—all amid the enthusiastic cheers, the encouraging plaudits, the waving handkerchiefs, the showering bouquets and other approving manifestations of a hundred thousand of the most loyal of our people." [13]

Pennsylvania was especially prominent in recruiting Negro troops. A committee was appointed, which raised $33,388, with which they proposed to raise three regiments. The committee founded Camp William Penn at Shelton Hill, and the first squad went into camp June 26, 1863. The first regiment, known as the Third United States, was full July 24, 1863. The third regiment, known as the Eighth United

States, was full December 4, 1863. Two more regiments were full January 6 and February 3. The regiments went South, August 13, October 14, 1863, and January 16, 1864.

In the Department of the Cumberland, the Secretary of War authorized George L. Stearns of Massachusetts to recruit Negroes. Stearns was a friend of John Brown, and a prominent Abolitionist. He took up headquarters at Nashville, and raised a number of regiments. In the Department of the Gulf, General Banks, May 1, 1863, proposed an army corps to be known as the Corps d'Afrique. It was to consist of eighteen regiments, infantry, artillery and calvary, and to be organized in three divisions of three brigades each, with engineers and hospitals, etc. He said in his order:

"The Government makes use of mules, horses, uneducated and educated white men, in the defense of its institutions. Why should not the Negro contribute whatever is in his power for the cause in which he is as deeply interested as other men? We may properly demand from him whatever service he can render."

In March, 1863, the Secretary of War sent the Adjutant-General, Lorenzo Thomas, into the South on a tour of inspection. Stanton's orders said:

"The President desires that you should confer freely with Major-General Grant, and the officers with whom you may have communication, and explain to them the importance attached by the Government to the use of the colored population emancipated by the President's Proclamation, and particularly for the organization of their labor and military strength. . . .

"You are authorized in this connection, to issue in the name of this department, letters of appointment for field and company officers, and to organize such troops for military service to the utmost extent to which they can be obtained in accordance with the rules and regulations of the service." [14]

Thomas spoke to the army officers in Louisiana, and expressed himself clearly.

"You know full well—for you have been over this country—that the Rebels have sent into the fields all their available fighting men—every man capable of bearing arms; and you know they have kept at home all their slaves for the raising of subsistence for their armies in the field. In this way they can bring to bear against us all the strength of their so-called Confederate States; while we at the North can only send a portion of our fighting force, being compelled to leave behind another portion to cultivate our fields and supply the wants of an immense army. THE ADMINISTRATION HAS DETERMINED TO TAKE FROM THE REBELS THIS SOURCE OF SUPPLY—TO TAKE THEIR NEGROES AND

COMPEL THEM TO SEND BACK A PORTION OF THEIR WHITES TO CULTIVATE THEIR DESERTED PLANTATIONS—AND VERY POOR PERSONS THEY WOULD BE TO FILL THE PLACE OF THE DARK-HUED LABORER. THEY MUST DO THIS, OR THEIR ARMIES WILL STARVE. . . .

"All of you will some day be on picket duty; and I charge you all, if any of this unfortunate race come within your lines, that you do not turn them away, but receive them kindly and cordially. They are to be encouraged to come to us; they are to be received with open arms; they are to be fed and clothed; they are to be armed." [15]

It would not have been American, however, not to have maintained some color discrimination, however petty. First, there was the matter of pay. The pay of soldiers at the beginning of the war was $13 a month. Negro soldiers enlisted under the same law. In the instructions to General Saxton, August 25, 1862, it was stated that the pay should be the same as that of the other troops. Soon, however, this was changed, and Negro soldiers were allowed but $10 a month, and $3 of this was deducted for clothing. Many of the regiments refused to receive the reduced pay. The 54th Massachusetts Infantry refused pay for a whole year until the regiment was treated as other regiments. The State of Massachusetts made up the difference to disabled and discharged soldiers until June 15, 1864, when the law was changed. In the Department of the Gulf, white troops who did provost duties about the city were paid $16 a month, while the Negro regiments were paid $7. At one time, this came near causing a mutiny.

But the Negroes did not waver. John M. Langston in a speech in Ohio in August, 1862, said:

"Pay or no pay, let us volunteer. The good results of such a course are manifold. But this one alone is all that needs to be mentioned in this connection. I refer to thorough organization. This is the great need of the colored Americans."

With regard to officers, the people of Pennsylvania secured from the Secretary of War permission to establish a free military school for the education of candidates for commissioned officers among the colored troops. The school was established, and within less than six months, examined over 1,000 applicants and passed 560. In the Department of the Gulf, Butler was in favor of colored officers, because in the First Colored Regiment there were a number of well-trained and intelligent Negro officers. But Banks was very much against colored officers, and would not use them. There was at first a very great distaste on the part of white men for serving in colored regiments. Hunter found this difficulty with his first regiment, but he quickly cured it by offering commissions to competent non-commis-

sioned officers. Later, when the black troops made their reputation in battle, the chance to command them was eagerly sought.

Congress finally freed the wives and children of enlisted soldiers; a measure which Davis of Kentucky quickly opposed on the ground that "The government had no power to take private property except for public use, and without just compensation to the owner."

Abraham Lincoln, under a fire of criticism, warmly defended the enlistment of Negro troops. "The slightest knowledge of arithmetic will prove to any man that the rebel armies cannot be destroyed with Democratic strategy. It would sacrifice all the white men of the North to do it. There are now in the service of the United States near two hundred thousand able-bodied colored men, most of them under arms, defending and acquiring Union territory. . . .

"ABANDON ALL THE POSTS NOW GARRISONED BY BLACK MEN; TAKE TWO HUNDRED THOUSAND MEN FROM OUR SIDE AND PUT THEM IN THE BATTLE-FIELD OR CORNFIELD AGAINST US, AND WE WOULD BE COMPELLED TO ABANDON THE WAR IN THREE WEEKS. . . .

"My enemies pretend I am now carrying on this war for the sole purpose of abolition. So long as I am President, it shall be carried on for the sole purpose of restoring the Union. But no human power can subdue this rebellion without the use of the emancipation policy, and every other policy calculated to weaken the moral and physical forces of the rebellion. Freedom has given us two hundred thousand men raised on Southern soil. It will give us more yet. Just so much it has subtracted from the enemy."[16]

The question as to whether Negroes should enlist in the Federal army was not nearly as clear in 1863 as it seems today. The South still refused to believe that the Civil War would end in the emancipation of slaves. There not only were strong declarations to the contrary in the North, but there was still the determined opposition of the Border States. The Confederates industriously spread propaganda among slaves, alleging that Northerners mistreated the Negroes, and were selling them to the West Indies into harsher slavery. Even in the North, among the more intelligent free Negroes, there was some hesitancy.

Frederick Douglass spoke for the free and educated black man, clear-headed and undeceived: "Now, what is the attitude of the Washington government towards the colored race? What reasons have we to desire its triumph in the present contest? Mind, I do not ask what was its attitude towards us before this bloody rebellion broke out. I do not ask what was its disposition, when it was controlled by the very men who are now fighting to destroy it, when they could no longer control it. I do not even ask what it was two years ago,

when McClellan shamelessly gave out that in a war between loyal slaves and disloyal masters, he would take the side of the masters against the slaves—when he openly proclaimed his purpose to put down slave insurrections with an iron hand—when glorious Ben Butler, now stunned into a conversion to anti-slavery principles (which I have every reason to believe sincere), proffered his services to the Governor of Maryland, to suppress a slave insurrection, while treason ran riot in that State, and the warm, red blood of Massachusetts soldiers still stained the pavements of Baltimore.

"I do not ask what was the attitude of this government when many of the officers and men who had undertaken to defend it openly threatened to throw down their arms and leave the service if men of color should step forward to defend it, and be invested with the dignity of soldiers. Moreover, I do not ask what was the position of this government when our loyal camps were made slave-hunting grounds, and United States officers performed the disgusting duty of slave dogs to hunt down slaves for rebel masters. These were all the dark and terrible days for the republic. I do not ask you about the dead past. I bring you to the living present.

"Events more mighty than men, eternal Providence, all-wise and all-controlling, have placed us in new relations to the government and the government to us. What that government is to us today, and what it will be tomorrow, is made evident by a very few facts. Look at them, colored men. Slavery in the District of Columbia is abolished forever; slavery in all the territories of the United States is abolished forever; the foreign slave trade, with its ten thousand revolting abominations, is rendered impossible; slavery in ten States of the Union is abolished forever; slavery in the five remaining States is as certain to follow the same fate as the night is to follow the day. The independence of Haiti is recognized; her Minister sits beside our Prime Minister, Mr. Seward, and dines at his table in Washington, while colored men are excluded from the cars in Philadelphia; showing that a black man's complexion in Washington, in the presence of the Federal Government, is less offensive than in the city of brotherly love. Citizenship is no longer denied us under this government.

"Under the interpretation of our rights by Attorney General Bates, we are American citizens. We can import goods, own and sail ships and travel in foreign countries, with American passports in our pockets; and now, so far from there being any opposition, so far from excluding us from the army as soldiers, the President at Washington, the Cabinet and the Congress, the generals commanding and the whole army of the nation unite in giving us one thunderous welcome to share with them in the honor and glory of suppressing trea-

son and upholding the star-spangled banner. The revolution is tremendous, and it becomes us as wise men to recognize the change, and to shape our action accordingly.

"I hold that the Federal Government was never, in its essence, anything but an antislavery government. Abolish slavery tomorrow, and not a sentence or syllable of the Constitution need be altered. It was purposely so framed as to give no claim, no sanction to the claim of property in man. If in its origin slavery had any relation to the government, it was only as the scaffolding to the magnificent structure, to be removed as soon as the building was completed. There is in the Constitution no East, no West, no North, no South, no black, no white, no slave, no slaveholder, but all are citizens who are of American birth.

"Such is the government, fellow-citizens, you are now called upon to uphold with your arms. Such is the government, that you are called upon to coöperate with in burying rebellion and slavery in a common grave. Never since the world began was a better chance offered to a long enslaved and oppressed people. The opportunity is given us to be men. With one courageous resolution we may blot out the handwriting of ages against us. Once let the black man get upon his person the brass letters U. S.; let him get an eagle on his button, and a musket on his shoulder, and bullets in his pocket, and there is no power on the earth or under the earth which can deny that he has earned the right of citizenship in the United States." [17]

In the meantime, two fateful occurrences took place. First, the white workers of New York declared in effect that the Negroes were the cause of the war, and that they were tired of the discrimination that made workers fighters for the rich. They, therefore, killed all the Negroes that they could lay their hands on. On the other hand, in Louisiana and South Carolina, Negro soldiers were successfully used in pitched battle.

The opposition to the war in the North took various forms. There was the open sedition, led by Vallandingham and ending in the mass opposition of the working classes. This Copperhead movement was pro-slavery and pro-Southern, and was met in part by closer understanding and alliance between the Abolitionists and the Republican administration. But the working class movement was deeper and more difficult. It was the protest of the poor against being compelled to fight the battles of the rich in which they could conceive no interest of theirs. If the workers had been inspired by the sentiment against slavery which animated the English workers, results might have been different. But the Copperheads of the North, and the commercial interests of New York, in particular, were enabled to turn the just

indignation of the workers against the Negro laborers, rather than against the capitalists; and against any war, even for emancipation.

When the draft law was passed in 1863, it meant that the war could no longer be carried on with volunteers; that soldiers were going to be compelled to fight, and these soldiers were going to be poor men who could not buy exemption. The result throughout the country was widespread disaffection that went often as far as rioting. More than 2,500 deserters from the Union army were returned to the ranks from Indianapolis alone during a single month in 1862; the total desertions in the North must have been several hundred thousands.

It was easy to transfer class hatred so that it fell upon the black worker. The end of war seemed far off, and the attempt to enforce the draft led particularly to disturbances in New York City, where a powerful part of the city press was not only against the draft, but against the war, and in favor of the South and Negro slavery.

The establishment of the draft undertaken July 13 in New York City met everywhere with resistance. Workingmen engaged in tearing down buildings were requested to give their names for the draft; they refused, and drove away the officers. The movement spread over the whole city. Mobs visited workshops and compelled the men to stop work. Firemen were prevented from putting out fires, telegraph wires were cut, and then at last the whole force of the riot turned against the Negroes. They were the cause of the war, and hence the cause of the draft. They were bidding for the same jobs as white men. They were underbidding white workers in order to keep themselves from starving. They were disliked especially by the Irish because of direct economic competition and difference in religion.

The Democratic press had advised the people that they were to be called upon to fight the battles of "niggers and Abolitionists"; Governor Seymour politely "requested" the rioters to await the return of his Adjutant-General, whom he had dispatched to Washington to ask the President to suspend the draft.

The report of the Merchants' Committee on the Draft Riot says of the Negroes: "Driven by the fear of death at the hands of the mob, who the week previous had, as you remember, brutally murdered by hanging on trees and lamp posts, several of their number, and cruelly beaten and robbed many others, burning and sacking their houses, and driving nearly all from the streets, alleys and docks upon which they had previously obtained an honest though humble living —these people had been forced to take refuge on Blackwell's Island, at police stations, on the outskirts of the city, in the swamps and woods back of Bergen, New Jersey, at Weeksville, and in the barns and out-houses of the farmers of Long Island and Morrisania. At

these places were scattered some 5,000 homeless men, women and children." [18]

The whole demonstration became anti-Union and pro-slavery. Attacks were made on the residence of Horace Greeley, and cheers were heard for Jefferson Davis. The police fought it at first only half-heartedly and with sympathy, and finally, with brutality. Soldiers were summoned from Fort Hamilton, West Point and elsewhere.

The property loss was put at $1,200,000, and it was estimated that between four hundred and a thousand people were killed. When a thousand troops under General Wool took charge of the city, thirteen rioters were killed, eighteen wounded, and twenty-four made prisoners. Four days the riot lasted, and the city appropriated $2,500,000 to indemnify the victims.

In many other places, riots took place, although they did not become so specifically race riots. They did, however, show the North that unless they could replace unwilling white soldiers with black soldiers, who had a vital stake in the outcome of the war, the war could not be won.

It had been a commonplace thing in the North to declare that Negroes would not fight. Even the black man's friends were skeptical about the possibility of using him as a soldier, and far from its being to the credit of black men, or any men, that they did not want to kill, the ability and willingness to take human life has always been, even in the minds of liberal men, a proof of manhood. It took in many respects a finer type of courage for the Negro to work quietly and faithfully as a slave while the world was fighting over his destiny, than it did to seize a bayonet and rush mad with fury or inflamed with drink, and plunge it into the bowels of a stranger. Yet this was the proof of manhood required of the Negro. He might plead his cause with the tongue of Frederick Douglass, and the nation listened almost unmoved. He might labor for the nation's wealth, and the nation took the results without thanks, and handed him as near nothing in return as would keep him alive. He was called a coward and a fool when he protected the women and children of his master. But when he rose and fought and killed, the whole nation with one voice proclaimed him a man and brother. Nothing else made emancipation possible in the United States. Nothing else made Negro citizenship conceivable, but the record of the Negro soldier as a fighter.

The military aid of the Negroes began as laborers and as spies. A soldier said: "This war has been full of records of Negro agency in our behalf. Negro guides have piloted our forces; Negro sympathy cared for our prisoners escaping from the enemy; Negro hands have

made for us naval captures; Negro spies brought us valuable information. The Negroes of the South have been in sympathy with us from the beginning, and have always hailed the approach of our flag with the wildest demonstrations of joy." [19]

All through the war and after, Negroes were indispensable as informers, as is well known. The Southern papers had repeated notices of the work of Negro spies. In Richmond, a white woman with dispatches for the Confederate army was arrested in 1863 on information given by a Negro. At the Battle of Manassas, the house of a free Negro was used as a refuge for the dead and wounded Union men. Negro pilots repeatedly guided Federal boats in Southern waters, and there were several celebrated cases of whole boats being seized by Negro pilots. A typical instance of this type was the action of William F. Tillman, a colored steward on board the brig *S. J. Waring,* which carried a cargo valued at $100,000. He had succeeded, by leading a revolt, in freeing the vessel from the Confederates who had seized it, and with the aid of a German and a Canadian had brought the vessel into port at New York. This action brought up the question of whether a Negro could be master of a vessel. In the Official Opinions of the Attorney-General for 1862, it was declared that a free colored man if born in the United States was a citizen of the United States and that he was competent to be master of a vessel engaged in the coasting trade.

The case of Smalls and the *Planter* at Charleston, South Carolina, became almost classic. "While at the wheel of the *Planter* as Pilot in the rebel service, it occurred to me that I could not only secure my own freedom, but that of numbers of my comrades in bonds, and moreover, I thought the *Planter* might be of some use to Uncle Abe. . . .

"I reported my plans for rescuing the *Planter* from the rebel captain to the crew (all colored), and secured their secrecy and coöperation.

"On May 13, 1862, we took on board several large guns at the Atlantic Dock. At evening of that day, the Captain went home, leaving the boat in my care, with instruction to send for him in case he should be wanted. . . . At half-past three o'clock on the morning of the 14th of May, I left the Atlantic Dock with the *Planter,* went to the *Ettaoue;* took on board my family; and several other families, then proceeded down Charleston River slowly. When opposite . . . Fort Sumter at 4 A.M., I gave the signal, which was answered from the Fort, thereby giving permission to pass. I then made speed for the Blockading Fleet. When entirely out of range of Sumter's guns, I hoisted a white flag, and at 5 A.M., reached a U. S. blockading vessel, com-

manded by Capt. Nicholas, to whom I turned over the *Planter*." [20]

After Lincoln was assassinated, General Hancock appealed to Negroes for help in capturing his murderers:

"Your President has been murdered! He has fallen by the assassin and without a moment's warning, simply and solely because he was your friend and the friend of our country. Had he been unfaithful to you and to the great cause of human freedom he might have lived. The pistol from which he met his death, though held by Booth, was held by the hands of treason and slavery. Think of this and remember how long and how anxiously this good man labored to break your chains and make you happy. I now appeal to you, by every consideration which can move loyal and grateful hearts, to aid in discovering and arresting his murderer." [21]

This was issued on the 24th of April. On the next day, the cavalry and police force, having crossed the Potomac, received information from a colored woman that the fugitives had been seen there. They were followed toward Bowling Green, and then toward Port Royal. There an old colored man reported that four individuals, in company with a rebel Captain, had crossed the river to Bowling Green. This information brought the police to Garrett's house, where Booth was found.

Negro military labor had been indispensable to the Union armies. "Negroes built most of the fortifications and earth-works for General Grant in front of Vicksburg. The works in and about Nashville were cast up by the strong arm and willing hand of the loyal Blacks. Dutch Gap was dug by Negroes, and miles of earth-works, fortifications, and corduroy-roads were made by Negroes. They did fatigue duty in every department of the Union army. Wherever a Negro appeared with a shovel in his hand, a white soldier took his gun and returned to the ranks. There were 200,000 Negroes in the camps and employ of the Union armies, as servants, teamsters, cooks, and laborers." [22]

The South was for a long time convinced that the Negro could not and would not fight. "The idea of their doing any serious fighting against white men is simply ridiculous," said an editorial in the Savannah *Republican,* March 25, 1863.

Of the actual fighting of Negroes, a Union general, Morgan, afterward interested in Negro education, says:

"History has not yet done justice to the share borne by colored soldiers in the war for the Union. Their conduct during that eventful period, has been a silent, but most potent factor in influencing public sentiment, shaping legislation, and fixing the status of colored people in America. If the records of their achievements could be put into

shape that they could be accessible to the thousands of colored youth in the South, they would kindle in their young minds an enthusiastic devotion to manhood and liberty." [23]

Black men were repeatedly and deliberately used as shock troops, when there was little or no hope of success. In February, 1863, Colonel Thomas Wentworth Higginson led black troops into Florida, and declared: "It would have been madness to attempt with the bravest white troops what successfully accomplished with black ones." [24]

In April, there were three white companies from Maine and seven Negro companies on Ship Island, the key to New Orleans. The black troops with black officers were attacked by Confederates who outnumbered them five to one. The Negroes retreated so as to give the Federal gunboat *Jackson* a chance to shell their pursuers. But the white crew disliked the Negro soldiers, and opened fire directly upon the black troops while they were fighting the Confederates. Major Dumas, the Negro officer in command, rescued the black men; repulsed the Confederates, and brought the men out safely. The commander called attention to these colored officers: "they were constantly in the thickest of the fight, and by their unflinching bravery, and admirable handling of their commands, contributed to the success of the attack, and reflected great honor upon the flag." [25]

The first battle with numbers of Negro troops followed soon after. Banks laid siege to Port Hudson with all his forces, including two black regiments. On May 23, 1863, the assault was ordered, but the various coöperating organizations did not advance simultaneously. The Negro regiments, on the North, made three desperate charges, losing heavily, but maintained the advance over a field covered with recently felled trees. Confederate batteries opened fire upon them. Michigan, New York and Massachusetts white troops were hurled back, but the works had to be taken. Two Negro regiments were ordered to go forward, through a direct and cross fire.

"The deeds of heroism performed by these colored men were such as the proudest white men might emulate. Their colors are torn to pieces by shot, and literally bespattered by blood and brains. The color-sergeant of the 1st Louisiana, on being mortally wounded, hugged the colors to his breast, when a struggle ensued between the two color-corporals on each side of him, as to who should have the honor of bearing the sacred standard, and during this generous contention, one was seriously wounded. One black lieutenant actually mounted the enemy's works three or four times, and in one charge the assaulting party came within fifty paces of them. Indeed, if only ordinarily supported by artillery and reserve, no one can convince us

that they would not have opened a passage through the enemy's works.

"Captain Callioux of the 1st Louisiana, a man so black that he actually prided himself upon his blackness, died the death of a hero, leading on his men in the thickest of the fight." [26]

"Colonel Bassett being driven back, Colonel Finnegas took his place, and his men being similarly cut to pieces, Lieutenant-Colonel Bassett reformed and recommenced; and thus these brave people went on, from morning until 3:30 P.M., under the most hideous carnage that men ever had to withstand, and that very few white ones would have had nerve to encounter, even if ordered to. During this time, they rallied, and *were ordered to make six distinct charges,* losing thirty-seven killed, and one hundred and fifty-five wounded, and one hundred and sixteen missing,—the majority, if not all, of these being in all probability, now lying dead on the gory field, and without the rites of sepulture; for when, by flag of truce, our forces in other direction were permitted to reclaim their dead, the benefit, through some neglect, was not extended to these black regiments!" [27]

In June, came the battle of Milliken's Bend. Grant, in order to capture Vicksburg, had drawn nearly all his troops from Milliken's Bend, except three Negro regiments, and a small force of white cavalry. This force was surprised by the Confederates, who drove the white cavalry to the very breastworks of the fort. Here the Confederates rested, expecting to take the fortifications in the morning. At three o'clock, they rushed over with drawn bayonets, but the Negroes drove them out of the forts and held them until the gunboats came up. One officer describes the fight:

"Before the colonel was ready, the men were in line, ready for action. As before stated, the rebels drove our force toward the gunboats, taking colored men prisoners and murdering them. This so enraged them that they rallied, and charged the enemy more heroically and desperately than has been recorded during the war. It was a genuine bayonet charge, a hand-to-hand fight, that has never occurred to any extent during this prolonged conflict. Upon both sides men were killed with the butts of muskets. White and black men were lying side by side, pierced by bayonets, and in some instances transfixed to the earth. In one instance, two men, one white and the other black, were found dead, side by side, each having the other's bayonet through his body. If facts prove to be what they are now represented, this engagement of Sunday morning will be recorded as the most desperate of this war. Broken limbs, broken heads, the mangling of bodies, all prove that it was a contest between enraged men: on the one side from hatred to a race; and on the other, desire for self-preservation, revenge

for past grievances and the inhuman murder of their comrades." [28]

The month of July, 1863, was memorable. General Meade had driven Lee from Gettysburg, Grant had captured Vicksburg, Banks had captured Port Hudson, and Gilmore had begun his operations on Morris Island. On the 13th of July, the draft riot broke out in New York City, and before it was over, a Negro regiment in South Carolina, the 54th Massachusetts, was preparing to lead the assault on Fort Wagner. It was a desperate, impossible venture, which failed, but can never be forgotten.

The black Fifty-Fourth Massachusetts regiment was to lead the assault. "Wagner loomed, black, grim and silent. There was no glimmer of light. Nevertheless, in the fort, down below the level of the tide, and under roofs made by huge trunks of trees, lay two thousand Confederate soldiers hidden. Our troops advanced toward the fort, while our mortars in the rear tossed bombs over their heads. Behind the 54th came five regiments from Connecticut, New York, New Hampshire, Pennsylvania and Maine. The mass went quickly and silently in the night. Then, suddenly, the walls of the fort burst with a blinding sheet of vivid light. Shot, shells of iron and bullets crushed through the dense masses of the attacking force. I shall never forget the terrible sound of that awful blast of death which swept down, battered or dead, a thousand of our men. Not a shot had missed its aim. Every bolt of iron and lead tasted of human blood.

"The column wavered and recovered itself. They reached the ditch before the fort. They climbed on the ramparts and swarmed over the walls. It looked as though the fort was captured. Then there came another blinding blaze from concealed guns in the rear of the fort, and the men went down by scores. The rebels rallied, and were reënforced by thousands of others, who had landed on the beach in the darkness unseen by the fleet. They hurled themselves upon the attacking force. The struggle was terrific. The supporting units hurried up to aid their comrades, but as they raised the ramparts, they fired a volley which struck down many of their own men. Our men rallied again, but were forced back to the edge of the ditch. Colonel Shaw, with scores of his black fighters, went down struggling desperately. Resistance was vain. The assailants were forced back to the beach, and the rebels drilled their recovered cannons anew on the remaining survivors."

When a request was made for Colonel Shaw's body, a Confederate Major said: "We have buried him with his niggers." [29]

In December, 1863, Morgan led Negro troops in the battle of Nashville. He declared a new chapter in the history of liberty had been written. "It had been shown that marching under a flag of freedom, animated by a love of liberty, even the slave becomes a man and a

hero." Between eight and ten thousand Negro troops took part in the battles around Nashville, all of them from slave states.

When General Thomas rode over the battlefield, and saw the bodies of colored men side by side with the foremost on the very works of the enemy, he turned to his staff, saying: "Gentlemen, the question is settled: Negroes will fight."

How extraordinary, and what a tribute to ignorance and religious hypocrisy, is the fact that in the minds of most people, even those of liberals, only murder makes men. The slave pleaded; he was humble; he protected the women of the South, and the world ignored him. The slave killed white men; and behold, he was a man!

The New York *Times* said conservatively, in 1863:

"Negro soldiers have now been in battle at Port Hudson and at Milliken's Bend in Louisiana, at Helena in Arkansas, at Morris Island in South Carolina, and at or near Fort Gibson in the Indian territory. In two of these instances they assaulted fortified positions, and led the assault; in two, they fought on the defensive, and in one, they attacked rebel infantry. In all of them, they acted in conjunction with white troops, and under command of white officers. In some instances, they acted with distinguished bravery, and in all, they acted as well as could be expected of raw troops."

Even the New York *Herald* wrote in May, 1864:

"The conduct of the colored troops, by the way, in the actions of the last few days, is described as superb. An Ohio soldier said to me today, 'I never saw men fight with such desperate gallantry as those Negroes did. They advanced as grim and stern as death, and when within reach of the enemy struck about them with pitiless vigor, that was almost fearful.' Another soldier said to me: 'These Negroes never shrink, nor hold back, no matter what the order. Through scorching heat and pelting storms, if the order comes, they march with prompt, ready feet.' Such praise is great praise, and it is deserved."

And there was a significant dispatch in the New York *Tribune* July 26th:

"In speaking of the soldierly qualities of our colored troops, I do not refer especially to their noble action in the perilous edge of the battle; that is settled, but to their docility and their patience of labor and suffering in the camp and on the march."

Grant was made Lieutenant-General in 1864, and began to reorganize the armies. When he came East, he found that few Negro troops had been used in Virginia. He therefore transferred nearly twenty thousand Negroes from the Southern and Western armies to the army of Virginia. They fought in nearly all the battles around Petersburg and Richmond, and officers on the field reported:

"The problem is solved. The Negro is a man, a soldier, a hero. Knowing of your laudable interest in the colored troops, but particularly those raised under the immediate auspices of the Supervisory Committee, I have thought it proper that I should let you know how they acquitted themselves in the late actions in front of Petersburg, of which you have already received newspaper accounts. If you remember, in my conversations upon the character of these troops, I carefully avoided saying anything about their fighting qualities till I could have an opportunity of trying them." [30]

When the siege of Petersburg began, there were desperate battles the 16th, 17th and 18th of June. The presence of Negro soldiers rendered the enemy especially spiteful, and there were continual scrimmages and sharp shooting. Burnside's 9th Corps had a brigade of black troops, who advanced within fifty yards of the enemy works. There was a small projecting fort which it was decided to mine and destroy. The colored troops were to charge after the mine was set off. An inspecting officer reported that the "black corps was fittest for the perilous services," but Meade objected to colored troops leading the assault. Burnside insisted. The matter was referred to Grant, and he agreed with Meade. A white division led the assault and failed. The battle of the Crater followed. Captain McCabe says: "It was now eight o'clock in the morning. The rest of Potter's (Federal) division moved out slowly, when Ferrero's Negro division, the men beyond question, inflamed with drink [There are many officers and men, myself among the number, who will testify to this], burst from the advanced lines, cheering vehemently, passed at a double quick over a crest under a heavy fire, and rushed with scarcely a check over the heads of the white troops in the crater, spread to their right, and captured more than two hundred prisoners and one stand of colors."

General Grant afterward said: "General Burnside wanted to put his colored troops in front. I believe if he had done so, it would have been a success." [31]

The following spring, April 3rd, the Federal troops entered Richmond. Weitzel was leading, with a black regiment in his command —a long blue line with gun-barrels gleaming, and bands playing: "John Brown's body lies a-moldering in the grave but his soul goes marching on."

President Lincoln visited the city after the surrender, and the Connecticut colored troops, known as the 29th Colored Regiment, witnessed his entry. One member of this unit said:

"When the President landed, there was no carriage near, neither did he wait for one, but leading his son, they walked over a mile to Gen-

eral Weitzel's headquarters at Jeff Davis' mansion, a colored man acting as guide. . . . What a spectacle! I never witnessed such rejoicing in all my life. As the President passed along the street, the colored people waved their handkerchiefs, hats and bonnets, and expressed their gratitude by shouting repeatedly, 'Thank God for His goodness; we have seen His salvation.' . . .

"No wonder tears came to his eyes, when he looked on the poor colored people who were once slaves, and heard the blessings uttered from thankful hearts and thanksgiving to God and Jesus. . . . After visiting Jefferson Davis' mansion, he proceeded to the rebel capitol, and from the steps delivered a short speech, and spoke to the colored people, as follows:

" 'In reference to you, colored people, let me say God has made you free. Although you have been deprived of your God-given rights by your so-called masters, you are now as free as I am, and if those that claim to be your superiors do not know that you are free, take the sword and bayonet and teach them that you are—for God created all men free, giving to each the same rights of life, liberty and the pursuit of happiness.' " [32]

The recruiting of Negro soldiers was hastened after the battle of Fort Wagner, until finally no less than 154 regiments, designated as United States Negro troops, were enlisted. They included 140 infantry regiments, seven cavalry regiments, 13 artillery regiments, and 11 separate companies and batteries.[33] The whole number enlisted will never be accurately known, since in the Department of the Gulf and elsewhere, there was a practice of putting a living Negro soldier in a dead one's place under the same name.

Official figures say that there were in all 186,017 Negro troops, of whom 123,156 were still in service, July 16, 1865; and that the losses during the war were 68,178. They took part in 198 battles and skirmishes. Without doubt, including servants, laborers and spies, between three and four hundred thousand Negroes helped as regular soldiers or laborers in winning the Civil War.

The world knows that noble inscription on St. Gaudens' Shaw Monument in Boston Common written by President Eliot:

THE WHITE OFFICERS

Taking Life and Honor in their Hands—Cast their lot with Men of a Despised Race Unproved in War—and Risked Death as Inciters of a Servile Insurrection if Taken Prisoners, Besides Encountering all the Common Perils of Camp, March, and Battle.

THE BLACK RANK AND FILE

Volunteered when Disaster Clouded the Union Cause—Served without Pay for Eighteen Months till Given that of White Troops—Faced Threatened Enslavement if Captured—Were Brave in Action —Patient under Dangerous and Heavy Labors and Cheerful amid Hardships and Privations.

TOGETHER

They Gave to the Nation Undying Proof that Americans of African Descent Possess the Pride, Courage, and Devotion of the Patriot Soldier—One Hundred and Eighty Thousand Such Americans Enlisted under the Union Flag in MDCCCLXIII-MDCCCLXV.

Not only did Negroes fight in the ranks, but also about 75 served as commissioned officers, and a large number as subalterns. Major F. E. Dumas of Louisiana was a free Negro, and a gentleman of education, ability and property. He organized a whole company of his own slaves, and was promoted to the rank of Major. Many of the other Louisiana officers were well-educated. Among these officers were 1 Major, 27 Captains and 38 Lieutenants, and nearly 100 non-commissioned officers. In the other colored regiments, most of the officers were whites; but Massachusetts commissioned 10 Negro officers, and Kansas 3. There were, outside Louisiana, 1 Lieutenant-Colonel, 1 Major, 2 Captains, 2 Surgeons, and 4 Lieutenants, whose records are known. There were a number of mulattoes who served as officers in white regiments; one was on the staff of a Major-General of Volunteers.[34] Medals of honor were bestowed by the United States government for heroic conduct on the field of battle upon 14 Negroes.

The Confederates furiously denounced the arming of Negroes. The Savannah *Republican* called Hunter "the cold-blooded Abolition miscreant, who from his headquarters at Hilton Head, is engaged in executing the bloody and savage behests of the imperial gorilla, who from his throne of human bones at Washington, rules, reigns and riots over the destinies of the brutish and degraded North." The officers in command of black troops were branded as outlaws. If captured, they were to be treated as common felons. To be killed by a Negro was a shameful death. To be shot by the Irish and Germans from Northern city slums was humiliating, but for masters to face armed bodies of their former slaves was inconceivable. When, therefore, black men were enrolled in Northern armies, the Confederates tried to pillory the government internationally on the ground that this was arming barbarians for servile war.

In a message to the Confederate Congress, Jefferson Davis asked "our fellowmen of all countries to pass judgment on a measure by which several millions of human beings of an inferior race—peaceful and contented laborers in their sphere—are doomed to extermination, while at the same time they are encouraged to a general assassination of their masters by the insidious recommendation to abstain from violence unless in necessary defense. Our own detestation of those who have attempted the most execrable measures recorded in the history of guilty men is tempered by profound contempt for the impotent rage which it discloses. So far as regards the action of this government on such criminals as may attempt its execution, I confine myself to informing you that I shall—unless in your wisdom you deem some other course expedient—deliver to the several State authorities all commissioned officers of the United States that may hereafter be captured by our forces in any of the States embraced in the Proclamation, that they may be dealt with in accordance with the laws of those States providing for the punishment of criminals engaged in exciting servile insurrection." [35]

In December, 1862, he issued a proclamation, "that all Negro slaves captured in arms be at once delivered over to the executive authorities, of the respective States to which they belonged and to be dealt with according to the law of the said States," which, of course, meant death. The same month, the Confederate Congress passed resolutions confirming in the main the President's Proclamation ordering that commissioned officers commanding Negro troops be put to death by the Confederate government, while the Negroes be turned over to the states.

The fire of the Confederates was always concentrated upon the black troops, and Negroes captured suffered indignities and cruelties. Frederick Douglass, who visited the White House in the President's carriage "to take tea," appealed in behalf of his fellow blacks. If they served in Federal uniform, he said that they should receive the treatment of prisoners of war. This treatment of Negro soldiers brought rebuke from Abraham Lincoln; but worse than that, it brought fearful retaliation upon the field of battle.

The most terrible case of Confederate cruelty was the massacre at Fort Pillow. When Major Booth refused to surrender the fort the Confederate General Forrest gave a signal, and his troops made a fierce charge. In ten minutes, they had swept in. Federal troops surrendered; but an indiscriminate massacre followed. The black troops were shot down in their tracks; pinioned to the ground with bayonets and saber. Some were clubbed to death while dying of wounds; others were made to get down upon their knees, in which condition they

were shot to death. Some were burned alive, having been fastened inside the buildings, while still others were nailed against the houses, tortured, and then burned to a crisp.

The dilemma of the South in the matter of Negro troops grew more perplexing. Negroes made good soldiers; that, the Northern experiment had proven beyond peradventure. The prospect of freedom was leading an increasing stream of black troops into the Federal army. This stream could be diverted into the Southern army, if the lure of freedom were offered by the Confederacy. But this would be an astonishing ending for a war in defense of slavery!

In the first year of the war large numbers of Negroes were in the service of the Confederates as laborers. In January, at Mobile, numbers of Negroes from the plantations of Alabama were at work on the redoubts. These were very substantially made, and strengthened by sand-bags and sheet-iron. Elsewhere in the South Negroes were employed in building fortifications, as teamsters and helpers in army service. In 1862, the Florida Legislature conferred authority upon the Governor to impress slaves for military purposes, if so authorized by the Confederate Government. The Confederate Congress provided by law in February, 1864, for the impressment of 20,000 slaves for menial service in the Confederate army. President Davis was so satisfied with their labor that he suggested, in his annual message, November, 1864, that this number should be increased to 40,000, with the promise of emancipation at the end of their service.[36]

In Louisiana, the Adjutant-General's Office of the Militia stated that "the Governor and the Commander-in-Chief relying implicitly upon the loyalty of the free colored population of the city and state, for the protection of their homes, their property and for Southern rights, from the pollution of a ruthless invader, and believing that the military organization which existed prior to February 15, 1862, and elicited praise and respect for the patriotic motives which prompted it, should exist for and during the war, calls upon them to maintain their organization and hold themselves prepared for such orders as may be transmitted to them."

These "Native Guards" joined the Confederate forces but they did not leave the city with these troops. When General Butler learned of this organization, he sent for several of the prominent colored men and asked why they had accepted service under the Confederate government. They replied that they dared not refuse, and hoped by serving the Confederates to advance nearer to equality with the whites.

In Charleston on January 2, 150 free colored men offered their services to hasten the work of throwing up redoubts along the coast. At Nashville, Tennessee, April, 1861, a company of free Negroes

offered their services to the Confederates, and at Memphis a recruiting office was opened. The Legislature of Tennessee authorized Governor Harris, on June 28, 1861, to receive into military service all male persons of color between the ages of fifteen and fifty. A procession of several hundred colored men marched under the command of Confederate officers and carried shovels, axes, and blankets. The observer adds, "they were brimful of patriotism, shouting for Jeff Davis and singing war songs." A paper in Lynchburg, Virginia, commenting on the enlistment of 70 free Negroes to fight for the defense of the State, concluded with "three cheers for the patriotic Negroes of Lynchburg."

After the firing on Fort Sumter, several companies of Negro volunteers passed through Augusta on their way to Virginia. They consisted of sixteen companies of volunteers and one Negro company from Nashville. In November of the same year, twenty-eight thousand troops passed before Governor Moore, General Lowell and General Ruggles at New Orleans. The line of march was over seven miles, and one regiment comprised 1,400 free colored men. The Baltimore *Traveler* commenting on arming Negroes at Richmond, said: "Contrabands who have recently come within the Federal lines at Williamsport, report that all the able-bodied men in that vicinity are being taken to Richmond, formed into regiments, and armed for the defense of that city."

In February, 1862, the Confederate Legislature of Virginia considered a bill to enroll all free Negroes in the State for service with the Confederate forces.

While then the Negroes helped the Confederates as forced laborers and in a few instances as soldiers, the Confederates feared to trust them far, and hated the idea of depending for victory and defense on these very persons for whose slavery they were fighting. But in the last days of the struggle, no straw could be overlooked. In December, 1863, Major-General Patrick R. Cleburne, who commanded a division in Hardee's Corps of the Confederate Army of the Tennessee, sent in a paper in which the employment of the slaves as soldiers of the South was vigorously advocated. Cleburne urged that "freedom within a reasonable time" be granted to every slave remaining true to the Confederacy, and was moved to this action by the valor of the Fifty-Fourth Massachusetts, saying: "If they [the Negroes] can be made to face and fight bravely against their former masters, how much more probable is it that with the allurement of a higher reward, and led by those masters, they would submit to discipline and face dangers?"

President Davis was not convinced, and endorsed Cleburne's plea with the statement: "I deem it inexpedient at this time to give publicity to this paper, and request that it be suppressed."

In September, 1864, Governor Allen of Louisiana wrote to J. A. Seddon, Secretary of War in the Confederate government: "The time has come to put into the army every able-bodied Negro as a soldier. The Negro knows he cannot escape conscription if he goes to the enemy. He must play an important part in the war. He caused the fight, and he will have his portion of the burden to bear. . . . I would free all able to bear arms, and put them in the field at once." In that year, 1864, 100,000 poor whites deserted the Confederate armies. In November, 1864, Jefferson Davis in his message to the Confederate Congress recognized that slaves might be needed in the Confederate army. He said: "The subject is to be viewed by us, therefore, solely in the light of policy and our social economy. When so regarded, I must dissent from those who advise a general levy and arming of slaves for the duty of soldiers. Until our white population shall prove insufficient for the armies we require and can afford to keep the field, to employ as a soldier the Negro, who has merely been trained to labor, and as a laborer under the white man accustomed from his youth to the use of firearms, would scarcely be deemed wise or advantageous by any; and this is the question before us. But should the alternative ever be presented of subjugation or of the employment of the slave as a soldier, there seems no reason to doubt what should be our decision."

In response to an inquiry from the Confederate Secretary of War, as to arming slaves, Howell Cobb of Georgia opposed the measure to arm the Negroes. "I think that the proposition to make soldiers of our slaves is the most pernicious idea that has been suggested since the war began . . . you cannot make soldiers of slaves or slaves of soldiers. The moment you resort to Negro soldiers, your white soldiers will be lost to you, and one secret of the favor with which the proposition is received in portions of the army is the hope when Negroes go into the army, they [the whites] will be permitted to retire. It is simply a proposition to fight the balance of the war with Negro troops. You can't keep white and black troops together and you can't trust Negroes by themselves. . . . Use all the Negroes you can get for all purposes for which you need them but don't arm them. The day you make soldiers of them is the beginning of the end of the revolution."

J. P. Benjamin, Secretary of State, on the other hand, declared that the slaves would be made to fight against the South, if Southerners failed to arm them for their own defense. He advocated emancipation for such black soldiers at a large meeting at Richmond: "We have 680,000 blacks capable of bearing arms, and who ought now to be in the field. Let us now say to every Negro who wishes to go into the ranks on condition of being free, go and fight—you are free." [37]

In a letter to President Davis, another correspondent added: "I would not make a soldier of the Negro if it could be helped, but we are reduced to this last resort." Sam Clayton of Georgia wrote: "The recruits should come from our Negroes, nowhere else. We should away with pride of opinion, away with false pride, and promptly take hold of all the means God has placed without our reach to help us through this struggle—a war for the right of self-government. Some people say that Negroes will not fight. I say they will fight. They fought at Ocean Pond [Olustee, Florida], Honey Hill and other places. The enemy fights us with Negroes, and they will do very well to fight the Yankees."

In January, 1865, General Lee sent his celebrated statement to Andrew Hunter:

"We should not expect slaves to fight for prospective freedom when they can secure it at once by going to the enemy, in whose service they will incur no greater risk than in ours. The reasons that induce me to recommend the employment of Negro troops at all render the effect of the measures I have suggested upon slavery immaterial, and in my opinion the best means of securing the efficiency and fidelity of this auxiliary force would be to accompany the measure with a well-digested plan of gradual and general emancipation. As that will be the result of the continuance of the war, and will certainly occur if the enemy succeeds, it seems to me most advisable to do it at once, and thereby obtain all the benefits that will accrue to our cause. [38]

This letter was discussed by the Confederates, and February 8, Senator Brown of Mississippi, introduced into the Confederate Congress a resolution which would have freed 200,000 Negroes and enrolled them in the army. This was voted down.

Jefferson Davis in a letter to John Forsythe, February, 1865, said that "all arguments as to the positive advantage or disadvantage of employing them are beside the question, which is simply one of relative advantage between having their fighting element in our ranks or in those of the enemy."

On February 11, another bill to enroll 200,000 Negro soldiers was introduced, and for a while it looked as though it would pass. General Lee again wrote, declaring the measure not only expedient but necessary, and that "under proper circumstances, the Negroes will make efficient soldiers."

The Richmond *Whig* of February 20, 1865, declared "that the proposition to put Negroes in the army has gained rapidly of late, and promises in some form or other to be adopted. . . . The enemy has taught us a lesson to which we ought not to shut our eyes. He has

caused him to fight as well, if not better, than have his white troops of the same length of service."

Jefferson Davis discussed the matter with the Governor of Virginia, and said that he had been in conference with the Secretary of War and the Adjutant-General. He declared that the aid of recruiting officers for the purpose of enlisting Negroes would be freely accepted. March 17, it was said: "We shall have a Negro army. Letters are pouring into the departments from men of military skill and character asking authority to raise companies, battalions, and regiments of Negro troops." [39]

Thus on recommendation from General Lee and Governor Smith of Virginia, and with the approval of President Davis, an act was passed by the Confederate Congress, March 13, 1865, enrolling slaves in the Confederate army. Each State was to furnish a quota of the total 300,000. The preamble of the act reads as follows:

"An Act to increase the Military Force of the Confederate States: The Congress of the Confederate States of America so enact, that, in order to provide additional forces to repel invasion, maintain the rightful possession of the Confederate States, secure their independence and preserve their institutions, the President be, and he is hereby authorized to ask for and accept from the owners of slaves, the services of such number of able-bodied Negro men as he may deem expedient, for and during the war, to perform military service in whatever capacity he may direct. . . ." The language used implied that volunteering was to be rewarded by freedom.

General Lee coöperated with the War Department in hastening the recruiting of Negro troops. Recruiting officers were appointed in nearly all Southern States. Lieutenant John L. Cowardin, Adjutant, 19th Battalion, Virginia Artillery, was ordered April 1, 1865, to recruit Negro troops according to the act. On March 30, 1865, Captain Edward Bostick was ordered to raise four companies in South Carolina. Other officers were ordered to raise companies in Alabama, Florida, and Virginia. "It was the opinion of President Davis, on learning of the passage of the act, that not so much was accomplished as would have been, if the act had been passed earlier so that during the winter the slaves could have been drilled and made ready for the spring campaign of 1865."

It was too late now, and on April 9, 1865, Lee surrendered.

Negroes well within the Confederate lines were not insensible of what was going on. A colored newspaper said:

"Secret associations were at once organized in Richmond, which rapidly spread throughout Virginia, where the venerable patriarchs of the oppressed people prayerfully assembled together to deliberate upon

the proposition of taking up arms in defense of the South. There was but one opinion as to the rebellion and its object; but the question which puzzled them most was, how were they to act the part about to be assigned to them in this martial drama? After a cordial interchange of opinions, it was decided with great unanimity, and finally ratified by all the auxiliary associations everywhere, that black men should promptly respond to the call of the Rebel chiefs, whenever it should be made, for them to take up arms.

"A question arose as to what position they would likely occupy in an engagement, which occasioned no little solicitude; from which all minds were relieved by agreeing that if they were placed in front as soon as the battle began the Negroes were to raise a shout about Abraham Lincoln and the Union, and, satisfied there would be plenty of supports from the Federal force, they were to turn like uncaged tigers upon the rebel hordes. Should they be placed in the rear, it was also understood, that as soon as firing began, they were to charge furiously upon the chivalry, which would place them between two fires; which would disastrously defeat the army of Lee, if not accomplish its entire annihilation." [40]

Of the effect of Negro soldiers in the Northern army, there can be no doubt. John C. Underwood, resident of Virginia for twenty years, said before the Committee on Reconstruction:

"I had a conversation with one of the leading men in that city, and he said to me that the enlistment of Negro troops by the United States was the turning-point of the rebellion; that it was the heaviest blow they ever received. He remarked that when the Negroes deserted their masters, and showed a general disposition to do so and join the forces of the United States, intelligent men everywhere saw that the matter was ended. I have often heard a similar expression of opinion from others, and I am satisfied that the origin of this bitterness towards the Negro is this belief among the leading men that their weight thrown into the scale decided the contest against them. However the fact may be, I think that such is a pretty well settled conclusion among leading Rebels in Virginia." [41]

A Union general said: "The American Civil War of 1861-1865 marks an epoch not only in the history of the United States, but in that of democracy, and of civilization. Its issue has vitally affected the course of human progress. To the student of history it ranks along with the conquests of Alexander; the incursions of the Barbarians; the Crusades; the discovery of America, and the American Revolution. It settled the question of our National unity with all the consequences attaching thereto. It exhibited in a very striking manner the power of a free people to preserve their form of government against its most

dangerous foe, Civil War. It not only enfranchised four millions of American slaves of African descent, but made slavery forever impossible in the great Republic, and gave a new impulse to the cause of human freedom."[42]

It was not the Abolitionist alone who freed the slaves. The Abolitionists never had a real majority of the people of the United States back of them. Freedom for the slave was the logical result of a crazy attempt to wage war in the midst of four million black slaves, and trying the while sublimely to ignore the interests of those slaves in the outcome of the fighting. Yet, these slaves had enormous power in their hands. Simply by stopping work, they could threaten the Confederacy with starvation. By walking into the Federal camps, they showed to doubting Northerners the easy possibility of using them as workers and as servants, as farmers, and as spies, and finally, as fighting soldiers. And not only using them thus, but by the same gesture, depriving their enemies of their use in just these fields. It was the fugitive slave who made the slaveholders face the alternative of surrendering to the North, or to the Negroes.

It was this plain alternative that brought Lee's sudden surrender. Either the South must make terms with its slaves, free them, use them to fight the North, and thereafter no longer treat them as bondsmen; or they could surrender to the North with the assumption that the North, after the war, must help them to defend slavery, as it had before. It was then that Abolition came in as a determining factor, and itself was transformed to a new democratic movement.

So in blood and servile war, freedom came to America. What did it mean to men? The paradox of a democracy founded on slavery had at last been done away with. But it became more and more customary as time went on, to linger on and emphasize the freedom which emancipation brought to the masters, and later to the poor whites. On the other hand, strangely enough, not as much has been said of what freedom meant to the freed; of the sudden wave of glory that rose and burst above four million people, and of the echoing shout that brought joy to four hundred thousand fellows of African blood in the North. Can we imagine this spectacular revolution? Not, of course, unless we think of these people as human beings like ourselves. Not unless, assuming this common humanity, we conceive ourselves in a position where we are chattels and real estate, and then suddenly in a night become "thenceforward and forever free." Unless we can do this, there is, of course, no point in thinking of this central figure in emancipation. But assuming the common humanity of these people, conceive of what happened: before the war, the slave was curiously isolated; this was the policy, and the effective policy of the

slave system, which made the plantation the center of a black group with a network of white folk around and about, who kept the slaves from contact with each other. Of course, clandestine contact there always was; the passing of Negroes to and fro on errands; particularly the semi-freedom and mingling in cities; and yet, the mass of slaves were curiously provincial and kept out of the currents of information.

There came the slow looming of emancipation. Crowds and armies of the unknown, inscrutable, unfathomable Yankees; cruelty behind and before; rumors of a new slave trade; but slowly, continuously, the wild truth, the bitter truth, the magic truth, came surging through.

There was to be a new freedom! And a black nation went tramping after the armies no matter what it suffered; no matter how it was treated, no matter how it died. First, without masters, without food, without shelter; then with new masters, food that was free, and improvised shelters, cabins, homes; and at last, land. They prayed; they worked; they danced and sang; they studied to learn; they wanted to wander. Some for the first time in their lives saw Town; some left the plantation and walked out into the world; some handled actual money, and some with arms in their hands, actually fought for freedom. An unlettered leader of fugitive slaves pictured it: "And then we saw the lightning—that was the guns! and then we heard the thunder—that was the big guns; and then we heard the rain falling, and that was the drops of blood falling; and when we came to git in the craps it was dead men that we reaped."

The mass of slaves, even the more intelligent ones, and certainly the great group of field hands, were in religious and hysterical fervor. This was the coming of the Lord. This was the fulfillment of prophecy and legend. It was the Golden Dawn, after chains of a thousand years. It was everything miraculous and perfect and promising. For the first time in their life, they could travel; they could see; they could change the dead level of their labor; they could talk to friends and sit at sundown and in moonlight, listening and imparting wonder-tales. They could hunt in the swamps, and fish in the rivers. And above all, they could stand up and assert themselves. They need not fear the patrol; they need not even cringe before a white face, and touch their hats.

To the small group of literate and intelligent black folk, North and South, this was a sudden beginning of an entirely new era. They were at last to be recognized as men; and if they were given the proper social and political power, their future as American citizens was assured. They had, therefore, to talk and agitate for their civil and

political rights. With these, in thought and object, stood some of the intelligent slaves of the South.

On the other hand, the house servants and mechanics among the freed slaves faced difficulties. The bonds which held them to their former masters were not merely sentiment. The masters had stood between them and a world in which they had no legal protection except the master. The masters were their source of information. The question, then, was how far they could forsake the power of the masters, even when it was partially overthrown? For whom would the slave mechanic work, and how could he collect his wages? What would be his status in court? What protection would he have against the competing mechanic?

Back of this, through it all, combining their own intuitive sense with what friends and leaders taught them, these black folk wanted two things—first, land which they could own and work for their own crops. This was the natural outcome of slavery. Some of them had been given by their masters little plots to work on, and raise their own food. Sometimes they raised hogs and chickens, in addition. This faint beginning of industrial freedom now pictured to them economic freedom. They wanted little farms which would make them independent.

Then, in addition to that, they wanted to know; they wanted to be able to interpret the cabalistic letters and figures which were the key to more. They were consumed with curiosity at the meaning of the world. First and foremost, just what was this that had recently happened about them—this upturning of the universe and revolution of the whole social fabric? And what was its relation to their own dimly remembered past of the West Indies and Africa, Virginia and Kentucky?

They were consumed with desire for schools. The uprising of the black man, and the pouring of himself into organized effort for education, in those years between 1861 and 1871, was one of the marvelous occurrences of the modern world; almost without parallel in the history of civilization. The movement that was started was irresistible. It planted the free common school in a part of the nation, and in a part of the world, where it had never been known, and never been recognized before. Free, then, with a desire for land and a frenzy for schools, the Negro lurched into the new day.

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Suppose on some gray day, as you plod down Wall Street, you should see God sitting on the Treasury steps, in His Glory, with the thunders curved about him? Suppose on Michigan Avenue, between the lakes and hills of stone, and in the midst of hastening automobiles

and jostling crowds, suddenly you see living and walking toward you, the Christ, with sorrow and sunshine in his face?

Foolish talk, all of this, you say, of course; and that is because no American now believes in his religion. Its facts are mere symbolism; its revelation vague generalities; its ethics a matter of carefully balanced gain. But to most of the four million black folk emancipated by civil war, God was real. They knew Him. They had met Him personally in many a wild orgy of religious frenzy, or in the black stillness of the night. His plan for them was clear; they were to suffer and be degraded, and then afterwards by Divine edict, raised to manhood and power; and so on January 1, 1863, He made them free.

It was all foolish, bizarre, and tawdry. Gangs of dirty Negroes howling and dancing; poverty-stricken ignorant laborers mistaking war, destruction and revolution for the mystery of the free human soul; and yet to these black folk it was the Apocalypse. The magnificent trumpet tones of Hebrew Scripture, transmuted and oddly changed, became a strange new gospel. All that was Beauty, all that was Love, all that was Truth, stood on the top of these mad mornings and sang with the stars. A great human sob shrieked in the wind, and tossed its tears upon the sea,—free, free, free.

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There was joy in the South. It rose like perfume—like a prayer. Men stood quivering. Slim dark girls, wild and beautiful with wrinkled hair, wept silently; young women, black, tawny, white and golden, lifted shivering hands, and old and broken mothers, black and gray, raised great voices and shouted to God across the fields, and up to the rocks and the mountains.

A great song arose, the loveliest thing born this side the seas. It was a new song. It did not come from Africa, though the dark throb and beat of that Ancient of Days was in it and through it. It did not come from white America—never from so pale and hard and thin a thing, however deep these vulgar and surrounding tones had driven. Not the Indies nor the hot South, the cold East or heavy West made that music. It was a new song and its deep and plaintive beauty, its great cadences and wild appeal wailed, throbbed and thundered on the world's ears with a message seldom voiced by man. It swelled and blossomed like incense, improvised and born anew out of an age long past, and weaving into its texture the old and new melodies in word and in thought.

They sneered at it—those white Southerners who heard it and never understood. They raped and defiled it—those white Northerners who listened without ears. Yet it lived and grew; always it grew and

swelled and lived, and it sits today at the right hand of God, as America's one real gift to beauty; as slavery's one redemption, distilled from the dross of its dung.

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The world at first neither saw nor understood. Of all that most Americans wanted, this freeing of slaves was the last. Everything black was hideous. Everything Negroes did was wrong. If they fought for freedom, they were beasts; if they did not fight, they were born slaves. If they cowered on the plantations, they loved slavery; if they ran away, they were lazy loafers. If they sang, they were silly; if they scowled, they were impudent.

The bites and blows of a nation fell on them. All hatred that the whites after the Civil War had for each other gradually concentrated itself on them. They caused the war—they, its victims. They were guilty of all the thefts of those who stole. They were the cause of wasted property and small crops. They had impoverished the South, and plunged the North into endless debt. And they were funny, funny —ridiculous baboons, aping man.

Southerners who had suckled food from black breasts vied with each other in fornication with black women, and even in beastly incest. They took the name of their fathers in vain to seduce their own sisters. Nothing—nothing that black folk did or said or thought or sang was sacred. For seventy years few Americans had dared say a fair word about a Negro.

There was no one kind of Negro who was freed from slavery. The freedmen were not an undifferentiated group; there were those among them who were cowed and altogether bitter. There were the cowed who were humble; there were those openly bitter and defiant, but whipped into submission, or ready to run away. There were the debauched and the furtive, petty thieves and licentious scoundrels. There were the few who could read and write, and some even educated beyond that. There were the children and grandchildren of white masters; there were the house servants, trained in manners, and in servile respect for the upper classes. There were the ambitious, who sought by means of slavery to gain favor or even freedom; there were the artisans, who had a certain modicum of freedom in their work, were often hired out, and worked practically as free laborers. The impact of legal freedom upon these various classes differed in all sorts of ways.

And yet emancipation came not simply to black folk in 1863; to white Americans came slowly a new vision and a new uplift, a sudden freeing of hateful mental shadows. At last democracy was to be justified of its own children. The nation was to be purged of continual sin

not indeed all of its own doing—due partly to its inheritance; and yet a sin, a negation that gave the world the right to sneer at the pretensions of this republic. At last there could really be a free commonwealth of freemen.

Thus, amid enthusiasm and philanthropy, and religious fervor that surged over the whole country, the black man became in word "henceforward and forever free."

"Fondly do we hope and fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled up by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn by the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, 'the judgments of the Lord are true and righteous altogether.'" Thus spake Father Abraham, "the Imperial Gorilla of Washington," Lord of armies vaster than any the Caesars ever saw, over a barnyard reeking with offal, and a land dripping with tears and blood. Suddenly, there was Reason in all this mad orgy. Suddenly the world knew why this blundering horror of civil war had to be. God had come to America, and the land, fire-drunk, howled the hymn of joy:

Freude, schöner Götterfunken,
Tochter aus Elysium,
Wir betreten feuertrunken,
Himmlische, dein Heiligtum.
Deine Zauber binden wieder,
Was die Mode streng geteilt,
Alle Menschen werden Brüder,
Wo dein sanfter Flügel weilt.
Seid umschlungen, Millionen!

Alle Menschen . . .
Alle Menschen . . .

JOHANN SCHILLER

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1. Williams, *History of the Negro Race in America,* II, pp. 265-266.
2. Charleston *Daily Courier,* January 8, 1863.
3. Charleston *Daily Courier,* February 16, 1863.
4. Jordon and Pratt, *Europe and the American Civil War,* p. 73.
5. *Education of Henry Adams,* pp. 130-131.
6. Schlüter, *Lincoln, Labor and Slavery,* p. 158.
7. Schlüter, *Lincoln, Labor and Slavery,* pp. 161, 162, 163.
8. Wilson, *History of the Black Phalanx,* pp. 146, 147.
9. Wilson, *History of the Black Phalanx,* pp. 151-154.
10. Parton, *Butler in New Orleans,* pp. 491, 493.

11. Wilson, *History of the Black Phalanx,* p. 192.
12. Wilson, *History of the Black Phalanx,* p. 195.
13. Williams, *History of the Negro Race in America,* II, pp. 292, 293.
14. Wilson, *History of the Black Phalanx,* p. 120.
15. Williams, *History of the Negro Race in America,* pp. 289, 290. (Italics ours.)
16. Herz, *Abraham Lincoln,* II, pp. 931-932. (Italics ours.)
17. Woodson, *Negro Orators,* pp. 249, 251.
18. *Report of the Merchants Committee,* p. 7.
19. Wilson, *History of the Black Phalanx,* p. 394.
20. Story told by Smalls to the A. M. E. General Conference, Philadelphia, May, 1864.
21. *New Orleans Tribune,* May 4, 1865.
22. Williams, *History of the Negro Race in America,* II, p. 262.
23. Wilson, *History of the Black Phalanx,* p. 305.
24. Williams, *History of the Negro Race in America,* II, p. 314.
25. Wilson, *History of the Black Phalanx,* p. 211.
26. Williams, *History of the Negro Race in America,* II, p. 321.
27. Williams, *History of the Negro Race in America,* II, pp. 320, 321.
28. Williams, *History of the Negro Race in America,* II, p. 327.
29. Wilson, *History of the Black Phalanx,* p. 256.
30. Williams, *History of the Negro Race in America,* II, pp. 338, 339.
31. *Testimony Before Congressional Committee;* cited in Wilson, p. 428.
32. Hill, *Sketch of the 29th Regiment of Connecticut Colored Troops,* pp. 26, 27.
33. Nicolay and Hay give 149 regiments. VI, p. 468.
34. *Cf.* Wilson, *History of the Black Phalanx,* Chapter IV; and Williams, *History of the Negro Race in America,* II, pp. 299-301.
35. Wilson, *History of the Black Phalanx,* pp. 316, 317.
36. The following account is mainly from Charles Wesley's article, *Journal of Negro History,* IV, pp. 242-243.
37. Wilson, *History of the Black Phalanx,* pp. 491, 492.
38. Wilson, *History of the Black Phalanx,* p. 490.
39. Wilson, *History of the Black Phalanx,* p. 494.
40. New Orleans *Tribune,* February 25, 1865.
41. *Report of the Joint Committee on Reconstruction,* 1866, p. 8.
42. General T. J. Morgan, in Wilson, *Black Phalanx,* p. 289.

# VI. LOOKING BACKWARD

How the planters, having lost the war for slavery, sought to begin again where they left off in 1860, merely substituting for the individual ownership of slaves, a new state serfdom of black folk

The young Southern fanatic who murdered Abraham Lincoln said, according to the New York *Times,* April 21, 1865:

". . . This country was formed for the white, not the black man; and looking upon African slavery from the same standpoint held by the noble framers of our Constitution, I, for one, have ever considered *it* of the greatest blessings (both for themselves and us) that God ever bestowed upon a favored nation. Witness heretofore our wealth and power; witness their elevation and enlightenment above their race elsewhere. I have lived among it most of my life and have seen *less* harsh treatment from master to man than I have beheld in the North from father to son. Yet Heaven knows, *no one* would be willing to do *more* for the Negro race than I, could I but see a way to still better their condition. But Lincoln's policy is only preparing the way for their total annihilation."

The South had risked war to protect this system of labor and to expand it into a triumphant empire; and even if all of the Southerners did not agree with this broader program, even these had risked war in order to ward off the disaster of a free labor class, either white or black.

Yet, they had failed. After a whirlwind of battles, in which the South had put energy, courage and skill, and most of their money; in the face of inner bickerings and divided councils, jealousy of leaders, indifference of poor whites and the general strike of black labor, they had failed in their supreme effort, and now found themselves with much of their wealth gone, their land widely devastated, and some of it confiscated, their slaves declared free, and their country occupied by a hostile army. "The South faced all sorts of difficulties. The hostilities, military and naval, had practically destroyed the whole commercial system of the South, and reduced the people to a pitiable primitive, almost barbaric level. . . .

"It has been said that the ruining of the planting class in the South through war was more complete than the destruction of the nobility

and clergy in the French Revolution. The very foundations of the system were shattered." [1]

There was at the end of the war no civil authority with power in North and South Carolina, Georgia, Florida, Alabama, Mississippi and Texas; and in the other states, authority was only functioning in part under Congress or the President. "The Northern soldiers were transported home with provisions for their comfort, and often with royal welcomes, while the Southern soldiers walked home in poverty and disillusioned."

Lands had deteriorated because of the failure to use fertilizers. The marketing of the crops was difficult and the titles to land and crops disputed. Government officials seized much of the produce and the cotton tax of 3 cents a pound bore hard upon the planters. The mortality of the whites was so great in the decade following 1865, as to be "a matter of common remark." [2]

When a right and just cause loses, men suffer. But men also suffer when a wrong cause loses. Suffering thus in itself does not prove the justice or injustice of a cause. It always, however, points a grave moral. Certainly after the war, no one could restrain his sorrow at the destruction and havoc brought upon the whites; least of all were the Negroes unsympathetic. Perhaps never in the history of the world have victims given so much of help and sympathy to their former oppressors. Yet the most pitiable victims of the war were not the rich planters, but the poor workers; not the white race, but the black.

Naturally, the mass of the planters were bitterly opposed to the abolition of slavery. First, they based their opposition upon a life-long conviction that free Negro labor could not be made profitable. The New Orleans *Picayune* said, July 8, 1862:

"In sober earnest, we say, and we believe all who know anything from observation or experience will corroborate our assertion, that this is an absolute impossibility. There could be no full crop produced under that system. The earlier processes might be performed in a manner and to some extent; but the later and more arduous, those upon the prompt performance of which depends the production of any crop at all, would be slighted, if not indeed entirely lost. The thriftless, thoughtless Negro would jingle his last month's wages in the planter's face and tell him to do the rest of the work himself. Look at Jamaica, Barbadoes, Antigua, and the other British West Indies where this experiment is having a most suggestive trial."

The Texas *Republican,* a weekly newspaper, said: "The ruinous effects of freeing four millions of ignorant and helpless blacks would not be confined to the South, but the blight would be communicated to the North, and the time would come when the people of that sec-

tion would be glad to witness a return to a system attended with more philanthropy and happiness to the black race than the one they seem determined to establish; for they will find that compulsory labor affords larger crops and a richer market for Yankee manufacturers." The masters were advised, therefore, not to turn their slaves loose to become demoralized, but to maintain a kind and protecting care over them.

In addition to this, it was said that even if free Negro labor miraculously proved profitable, Negroes themselves were impossible as freemen, neighbors and citizens. They could not be educated and really civilized. And beyond that if a free, educated black citizen and voter could be brought upon the stage this would in itself be the worst conceivable thing on earth; worse than shiftless, unprofitable labor; worse than ignorance, worse than crime. It would lead inevitably to a mulatto South and the eventual ruin of all civilization.

This was a natural reaction for a country educated as the South had been; and that the mass of the planters passionately believed it is beyond question, despite difficulties of internal logic. Even the fact that some thought free Negro labor practicable, and many knew perfectly well that at least some Negroes were capable of education and even of culture, these stood like a rock wall against anything further: against Negro citizens, against Negro voters, against any social recognition in politics, religion or culture.

The poor whites, on the other hand, were absolutely at sea. The Negro was to become apparently their fellow laborer. But were the whites to be bound to the black laborer by economic condition and destiny, or rather to the white planter by community of blood? Almost unanimously, following the reaction of such leaders as Andrew Johnson and Hinton Helper, the poor white clung frantically to the planter and his ideals; and although ignorant and impoverished, maimed and discouraged, victims of a war fought largely by the poor white for the benefit of the rich planter, they sought redress by demanding unity of white against black, and not unity of poor against rich, or of worker against exploiter.

This brought singular schism in the South. The white planter endeavored to keep the Negro at work for his own profit on terms that amounted to slavery and which were hardly distinguishable from it. This was the plain voice of the slave codes. On the other hand, the only conceivable ambition of a poor white was to become a planter. Meantime the poor white did not want the Negro put to profitable work. He wanted the Negro beneath the feet of the white worker.

Right here had lain the seat of the trouble before the war. All the regular and profitable jobs went to Negroes, and the poor whites were

excluded. It seemed after the war immaterial to the poor white that profit from the exploitation of black labor continued to go to the planter. He regarded the process as the exploitation of black folk by white, not of labor by capital. When, then, he faced the possibility of being himself compelled to compete with a Negro wage worker, while both were the hirelings of a white planter, his whole soul revolted. He turned, therefore, from war service to guerrilla warfare, particularly against Negroes. He joined eagerly secret organizations, like the Ku Klux Klan, which fed his vanity by making him co-worker with the white planter, and gave him a chance to maintain his race superiority by killing and intimidating "niggers"; and even in secret forays of his own, he could drive away the planter's black help, leaving the land open to white labor. Or he could murder too successful freedmen.

It was only when they saw the Negro with a vote in his hand, backed by the power and money of the nation, that the poor whites who followed some of the planters into the ranks of the "scalawags" began to conceive of an economic solidarity between white and black workers. In this interval they received at the hands of the black voter and his allies a more general right to vote, to hold office and to receive education, privileges which the planter had always denied them. But before all this was so established as to be intelligently recognized, armed revolt in the South became organized by the planters with the coöperation of the mass of poor whites. Taking advantage of an industrial crisis which throttled both democracy and industry in the North, this combination drove the Negro back toward slavery. Finally the poor whites joined the sons of the planters and disfranchised the black laborer, thus nullifying the labor movement in the South for a half century and more.

As the Civil War staggered toward its end, the country began to realize that it was not only at the end of an era, but it was facing the beginning of a vaster and more important cycle. The emancipation of four million slaves might end slavery, but would it not also be the end of its four million victims? To be sure there were many prophets, South and North, who foretold this fate of Negro extinction, but they were wrong. It was the beginning of Negro development, and what was this development going to be?

Back of all the enthusiasm and fervor of victory in the North came a wave of reflection that represented the sober after-thought of the nation. It harked back to a time when not one person in ten believed in Negroes, or in emancipation, or in any attempt to conquer the South. This feeling began to arise before the war closed, and after it ended it rose higher and higher into something like dismay. From

before the time of Washington and Jefferson down to the Civil War, the nation had asked if it were possible for free Negroes to become American citizens in the full sense of the word.

The answers to this problem, historically, had taken these forms:

1. Negroes, after conversion to Christianity, were in the same position as other colonial subjects of the British King. This attitude disappeared early in colonial history.

2. When the slave trade was stopped, Negroes would die out. Therefore, the attack upon slavery must begin with the abolition of the slave trade and after that the race problem would settle itself. This attitude was back of the slave trade laws, 1808-20.

3. If Negroes did not die out, and if gradually by emancipation and the economic failure of slavery they became free, they must be systematically deported out of the country, back to Africa or elsewhere, where they would develop into an independent people or die from laziness or disease. This represented the attitude of liberal America from the end of the War of 1812 down to the beginning of the Cotton Kingdom.

4. Negroes were destined to be perpetual slaves in a new economy which recognized a caste of slave workers. And this caste system might eventually displace the white worker. At any rate, it was destined to wider expansion toward the tropics. This was the attitude of the Confederacy.

It is clear that from the time of Washington and Jefferson down to the Civil War, when the nation was asked if it was possible for free Negroes to become American citizens in the full sense of the word, it answered by a stern and determined "No!" The persons who conceived of the Negroes as free and remaining in the United States were a small minority before 1861, and confined to educated free Negroes and some of the Abolitionists.

This basic thought of the American nation now began gradually to be changed. It bore the face of fear. It showed a certain dismay at the thought of what the nation was facing after the war and under hypnotism of a philanthropic idea. The very joy in the shout of emancipated Negroes was a threat. Who were these people? Were we not loosing a sort of gorilla into American freedom? Negroes were lazy, poor and ignorant. Moreover their ignorance was more than the ignorance of whites. It was a biological, fundamental and ineradicable ignorance based on pronounced and eternal racial differences. The democracy and freedom open and possible to white men of English stock, and even to Continental Europeans, were unthinkable in the case of Africans. We were moving slowly in an absolutely impossible direction.

Meantime, there was anarchy in the South and the triumph of brute physical force over large areas. The classic report on conditions in the South directly after the war is that of Carl Schurz. Carl Schurz was of the finest type of immigrant Americans. A German of education and training, he had fought for liberal thought and government in his country, and when driven out by the failure of the revolution of 1848, had come to the United States, where he fought for freedom. No man was better prepared dispassionately to judge conditions in the South than Schurz. He was to be sure an idealist and doctrinaire, but surely the hard-headed and the practical had made mess enough with America. This was a time for thought and plan. Schurz's reports on his journey remain today with every internal evidence of truth and reliability.

His mission came about in this way: he had written Johnson on his North Carolina effort at Reconstruction and Johnson invited him to call.

"President Johnson received me with the assurance that he had read my letters with great interest and appreciation, and that he was earnestly considering the views I had presented in them. But in one respect, he said, I had entirely mistaken his intentions. His North Carolina proclamation was not to be understood as laying down a general rule for the reconstruction of all 'the states lately in rebellion.' It was to be regarded as merely experimental, and he thought that the condition of things in North Carolina was especially favorable for the making of such an experiment. As to the Gulf States, he was very doubtful and even anxious. He wished to see those states restored to their constitutional relations with the general government as quickly as possible, but he did not know whether it could be done with safety to the Union men and to the emanicipated slaves. He therefore requested me to visit those states for the purpose of reporting to him whatever information I could gather as to the existing condition of things, and of suggesting to him such measures as my observations might lead me to believe advisable." [3]

In his report, Schurz differentiated four classes in the South:

"1. Those who, although having yielded submission to the national government only when obliged to do so, have a clear perception of the irreversible changes produced by the war, and honestly endeavor to accommodate themselves to the new order of things.

"2. Those whose principal object is to have the states without delay restored to their position and influence in the Union and the people of the states to the absolute control of their home concerns. They are ready in order to attain that object to make any ostensible concession

that will not prevent them from arranging things to suit their taste as soon as that object is attained.

"3. The incorrigibles, who still indulge in the swagger which was so customary before and during the war, and still hope for a time when the Southern confederacy will achieve its independence.

"4. The multitude of people who have no definite ideas about the circumstances under which they live and about the course they have to follow; whose intellects are weak, but whose prejudices and impulses are strong, and who are apt to be carried along by those who know how to appeal to the latter." [4]

He thus describes the movements immediately following the war:

"When the war came to a close, the labor system of the South was already much disturbed. During the progress of military operations large numbers of slaves had left their masters and followed the columns of our armies; others had taken refuge in our camps; many thousands had enlisted in the service of the national government. Extensive settlements of Negroes had been formed along the seaboard and the banks of the Mississippi, under the supervision of army officers and treasury agents, and the government was feeding the colored refugees who could not be advantageously employed in the so-called contraband camps.

"Many slaves had also been removed by their masters, as our armies penetrated the country, either to Texas or to the interior of Georgia and Alabama. Thus a considerable portion of the laboring force had been withdrawn from its former employments. But a majority of the slaves remained on the plantations to which they belonged, especially in those parts of the country which were not touched by the war, and where, consequently, the emancipation proclamation was not enforced by the military power. Although not ignorant of the stake they had in the result of the contest, the patient bondmen waited quietly for the development of things.

"But as soon as the struggle was finally decided, and our forces were scattered about in detachments to occupy the country, the so far unmoved masses began to stir. The report went among them that their liberation was no longer a mere contingency, but a fixed fact. Large numbers of colored people left the plantations; many flocked to our military posts and camps to obtain the certainty of their freedom, and others walked away merely for the purpose of leaving the places on which they had been held in slavery, and because they could now go with impunity. Still others, and their number was by no means inconsiderable, remained with their former masters and continued their work on the field, but under new and as yet unsettled conditions, and under the agitating influence of a feeling of restlessness.

"In some localities, however, where our troops had not yet penetrated and where no military post was within reach, planters endeavored and partially succeeded in maintaining between themselves and the Negroes the relation of master and slave partly by concealing from them the great changes that had taken place, and partly by terrorizing them into submission to their behests. But aside from these exceptions, the country found itself thrown into that confusion which is naturally inseparable from a change so great and so sudden. The white people were afraid of the Negroes, and the Negroes did not trust the white people; the military power of the national government stood there, and was looked up to, as the protector of both. . . .

"Some of the planters with whom I had occasion to converse expressed their determination to adopt the course which best accords with the spirit of free labor, to make the Negro work by offering him fair inducements, to stimulate his ambition, and to extend to him those means of intellectual and moral improvement which are best calculated to make him an intelligent, reliable and efficient free laborer and a good and useful citizen. . . .

"I regret to say that views and intentions so reasonable I found confined to a small minority. Aside from the assumption that the Negro will not work without physical compulsion, there appears to be another popular notion prevalent in the South which stands as no less serious an obstacle in the way of a successful solution of the problem. It is that the Negro exists for the special object of raising cotton, rice and sugar for the whites, and that it is illegitimate for him to indulge, like other people, in the pursuit of his own happiness in his own way. . . .

"I made it a special point in most of the conversations I had with Southern men to inquire into their views with regard to this subject. I found, indeed, some gentlemen of thought and liberal ideas who readily acknowledged the necessity of providing for the education of the colored people, and who declared themselves willing to cooperate to that end to the extent of their influence. Some planters thought of establishing schools on their estates, and others would have been glad to see measures taken to that effect by the people of the neighborhoods in which they lived. But whenever I asked the question whether it might be hoped that the legislatures of their states or their county authorities would make provisions for Negro education, I never received an affirmative, and only in two or three instances feebly encouraging answers. At last I was forced to the conclusion that, aside from a small number of honorable exceptions, the popular prejudice is almost as bitterly set against the Negro's having the advantage of education as it was when the Negro was a slave.

There may be an improvement in that respect, but it would prove only how universal the prejudice was in former days. Hundreds of times I heard the old assertion repeated, that 'learning will spoil the nigger for work,' and that 'Negro education will be the ruin of the South.' Another most singular notion still holds a potent sway over the minds of the masses—it is, that the elevation of the blacks will be the degradation of the whites. . . .

"The emancipation of the slaves is submitted to only in so far as chattel slavery in the old form could not be kept up. But although the freedman is no longer considered the property of the individual master, he is considered the slave of society, and all independent state legislation will share the tendency to make him such. The ordinances abolishing slavery passed by the conventions under the pressure of circumstances will not be looked upon as barring the establishment of a new form of servitude."

Carl Schurz summed the matter up:

"Wherever I go—the street, the shop, the house, the hotel, or the steamboat—I hear the people talk in such a way as to indicate that they are yet unable to conceive of the Negro as possessing any rights at all. Men who are honorable in their dealings with their white neighbors, will cheat a Negro without feeling a single twinge of their honor. To kill a Negro, they do not deem murder; to debauch a Negro woman, they do not think fornication; to take the property away from a Negro, they do not consider robbery. The people boast that when they get freedmen's affairs in their own hands, to use their own expression, 'the niggers will catch hell.'

"The reason of all this is simple and manifest. The whites esteem the blacks their property by natural right, and however much they admit that the individual relations of masters and slaves have been destroyed by the war and by the President's emancipation proclamation, they still have an ingrained feeling that the blacks at large belong to the whites at large."

Corroboration of the main points in the thesis of Schurz came from many sources.[5] From Virginia:

"Before the abolition of slavery, and before the war, it was the policy of slaveholders to make a free Negro as despicable a creature and as uncomfortable as possible. They did not want a free Negro about at all. They considered it an injury to the slave, as it undoubtedly was, creating discontent among the slaves. The consequences were that there was always an intense prejudice against the free Negro. Now, very suddenly, all have become free Negroes; and that was not calculated to allay that prejudice."

A colored man testified:

"There was a distinct tendency toward compulsion, toward re-established slavery under another name. Negroes coming into Yorktown from regions of Virginia and thereabout, said that they had worked all year and received no pay and were driven off the first of January. The owners sold their crops and told them they had no further use for them and that they might go to the Yankees, or the slaveholders offered to take them back but refused to pay any wages. A few offered a dollar a month and clothing and food. They were not willing to pay anything for work."

The courts aided the subjection of Negroes. George S. Smith of Virginia, resident since 1848, said that he had been in the Provost Marshal's department and "have had great opportunities of seeing the cases that are brought before him. Although I am prejudiced against the Negro myself, still I must tell the truth, and must acknowledge that he has rights. In more than nine cases out of ten that have come up in General Patrick's office, the Negro has been right and the white man has been wrong, and I think that that will be found to be the case if you examine the different provost marshals."

It was common for Virginians in 1865 and 1866 to advocate wholesale expulsion of the Negroes. This attitude arose from the slave trade:

"The slave system in Virginia has been such as to exhaust very largely the able-bodied laborers; I have been informed that twenty-thousand of that class were annually sold from Virginia; consequently, a very large portion of the colored population there is composed of the aged, infirm, women and children, and the being freed from the necessity of supporting them is really a great relief in the present poverty of the people—a relief to their former owners."

Of course, those who wanted Negro labor immediately and were pushed on by the current high prices for products, were willing to compromise in some respects.

"The more intelligent people there, those who have landed estates, need their labor. Being dependent upon them for labor, they see the necessity of employing them, and are disposed to get along with them. All of the people, however, are extremely reluctant to grant the Negro his civil rights—those privileges that pertain to freedom, the protection of life, liberty and property before the laws, the right to testify in the courts, etc. They are all very reluctant to concede that; and if it is ever done, it will be because they are forced to do it. They are reluctant even to consider and treat the Negro as a free man."

Lieutenant Sanderson, who was in North Carolina for three years, said that as soon as the Southerners came in in full control, they intended to put in force laws "not allowing a contraband to stay in any section over such a length of time without work; if he does, to

seize him and sell him. In fact, that is done now in the county of Gates, North Carolina. The county police, organized under orders from headquarters, did enforce that.

"Mr. Parker told me that he had hired his people for the season: that directly after the surrender of General Lee, he called them up and told them they were free; that he was better used to them than to others, and would prefer hiring them; that he would give them board and two suits of clothing to stay with him till the 1st day of January, 1866, and one Sunday suit at the end of that time; that they consented willingly—in fact, preferred to remain with him, etc. But from his people I learned that though he did call them up, as stated, yet when one of them demurred at the offer, his son James flew at him and cuffed and kicked him; that after that they were all 'perfectly willing to stay'; they were watched night and day; that Bob, one of the men, had been kept chained nights; that they were actually afraid to try to get away."

Sometimes the resentment at the new state of affairs was funny. A county judge near Goldsboro, who had never been addressed by a Negro unbidden, came to the quarters of Lieutenant Sanderson:

"'Lieutenant, what am I to stand from these freed people? I suppose you call them free. What insults am I obliged to suffer? I am in a perfect fever.' I told him I saw he was, and asked him what he complained of? If there was anything wrong I would right it. 'Well,' said he, 'one of these infernal niggers came along as I sat on my piazza this morning and bowed to me, and said good morning;—one of your soldiers!'"

From Alabama it was reported:

"The planters hate the Negro, and the latter class distrust the former, and while this state of things continues, there cannot be harmonious action in developing the resources of the country. Besides, a good many men are unwilling yet to believe that the 'peculiar institution' of the South has been actually abolished, and still have the lingering hope that slavery, though not in name, will yet in some form practically exist. And hence the great anxiety to get back into the Union, which being accomplished, they will then, as I have heard it expressed, 'fix the Negro!' . . .

"It is the simple fact, capable of indefinite proof, that the black man does not receive the faintest shadow of justice. I aver that in nine cases out of ten within my own observation, where a white man has provoked an affray with a black and savagely misused him, the black man has been fined for insolent language because he did not receive the chastisement in submissive silence, while the white man has gone free." [6]

The New York *Herald* says of Georgia:

"Springing naturally out of this disordered state of affairs is an organization of 'regulators,' so called. Their numbers include many ex-Confederate cavaliers of the country, and their mission is to visit summary justice upon any offenders against the public peace. It is needless to say that their attention is largely directed to maintaining quiet and submission among the blacks. *The shooting or stringing up of some obstreperous 'nigger' by the 'regulators' is so common an occurrence as to excite little remark. Nor is the work of proscription confined to the freedmen only.* The 'regulators' go to the bottom of the matter, and strive to make it uncomfortably warm for any new settler with demoralizing innovations of wages for 'niggers.'"[7]

A committee of the Florida legislature reported in 1865 that it was true that one of the results of the war was the abolition of African slavery.

"But it will hardly be seriously argued that the simple act of emancipation of itself worked any change in the social, legal or political status of such of the African race as were already free. Nor will it be insisted, we presume, that the emancipated slave technically denominated a 'freedman' occupied any higher position in the scale of rights and privileges than did the 'free Negro.' If these inferences be correct, then it results as a logical conclusion, that all the arguments going to sustain the authority of the General Assembly to discriminate in the case of 'free Negroes' equally apply to that of 'freedmen,' or emancipated slaves.

"But it is insisted by a certain class of radical theorists that the act of emancipation did not stop in its effect in merely severing the relation of master and slave, but that it extended further, and so operated as to exalt the entire race and placed them upon terms of perfect equality with the white man. These fanatics may be very sincere and honest in their convictions, but the result of the recent elections in Connecticut and Wisconsin shows very conclusively that such is not the sentiment of the majority of the so-called Free States."

Some Southerners saw in emancipation nothing but extermination for the Negro race. The Provisional Governor of Florida became almost tearful over the impending fate of the Negroes and the guilt of the North.

"This unfortunate class of our population, but recently constituting the happiest and best provided for laboring population in the world, by no act of theirs or voluntary concurrence of ours; with no prior training to prepare them for their new responsibilities, have been suddenly deprived of the fostering care and protection of their old masters and are now to become, like so many children gamboling

upon the brink of the yawning precipice, careless of the future and intent only on revelling in the present unrestrained enjoyment of the newly found bauble of freedom. . . ." [8]

Judge Humphrey of Alabama said:

"I believe in case of a return to the Union, we would receive political coöperation so as to secure the management of that labor by those who were slaves. There is really no difference, in my opinion, whether we hold them as absolute slaves or obtain their labor by some other method. Of course, we prefer the old method. But that question is not now before us!"

A twelve-year resident of Alabama said:

"There is a kind of innate feeling, a lingering hope among many in the South that slavery will be regalvanized in some shape or other. They tried by their laws to make a worse slavery than there was before, for the freedman has not now the protection which the master from interest gave him before." [9]

"Every day, the press of the South testifies to the outrages that are being perpetrated upon unoffending colored people by the state militia. These outrages are particularly flagrant in the states of Alabama and Mississippi, and are of such character as to demand most imperatively the interposition of the national Executive. These men are rapidly inaugurating a condition of things—a feeling—among the freedmen that will, if not checked, ultimate in insurrection. The freedmen are peaceable and inoffensive; yet if the whites continue to make it all their lives are worth to go through the country, as free people have a right to do, they will goad them to that point at which submission and patience cease to be a virtue.

"I call your attention to this matter after reading and hearing from the most authentic sources—officers and others—for weeks, of the continuance of the militia robbing the colored people of their property —arms—shooting them in the public highways if they refuse to halt when so commanded, and lodging them in jail if found from home without passes, and ask, as a matter of simple justice to an unoffending and downtrodden people that you use your influence to induce the President to issue an order or proclamation forbidding the organization of state militia." [10]

In Mississippi:

"In respectful earnestness I must say that if at the end of all the blood that has been shed and the treasure expended, the unfortunate Negro is to be left in the hands of his infuriated and disappointed former owners to legislate and fix his *status,* God help him, for his cup of bitterness will overflow indeed. Was ever such a policy conceived in the brain of men before?"

Sumner quotes "an authority of peculiar value"—a gentleman writing from Mississippi:

"I regret to state that under the civil power deemed by all the inhabitants of Mississippi to be paramount, the condition of the freedmen in many portions of the country has become deplorable and painful in the extreme. *I must give it as my deliberate opinion that the freedmen are today, in the vicinity where I am now writing, worse off in most respects than when they were held slaves.* If matters are permitted to continue on as they now seem likely to be, it needs no prophet to predict a rising on the part of the colored population, and a terrible scene of bloodshed and desolation. Nor can anyone blame the Negroes if this proves to be the result. *I have heard since my arrival here, of numberless atrocities that have been perpetrated upon the freedmen.* It is sufficient to state that the old overseers are in power again. . . . The object of the Southerners appears to be to make good their often-repeated assertions, to the effect that the Negroes would die if they were freed. To make it so, they seem determined to goad them to desperation, in order to have an excuse to turn upon and annihilate them."

General Fisk early in 1866 said:

"I have today received the statement of two very respectable colored men who went into northern Mississippi from Nashville and rented plantations. Both of them were men of means, and one a reputed son of Isham G. Harris, a former Governor of Tennessee. Both were very intelligent colored men. They have been driven out and warned not to put their feet within the state again. Their written statements and affidavits I have, and will cheerfully place them in the hands of the committee if they desire it. They are reliable men; I know them both."

A former Mississippi slaveholder wrote:

"As a man who has been deprived of a large number of persons he once claimed as slaves, I protest against such a course. If it is intended to follow up the abolition of slavery by a liberal and enlightened policy, by which I mean bestowing upon them the full rights of other citizens, then I can give this movement my heart and hand. But if the Negro is to be left in a helpless condition, far more miserable than that of slavery, I would ask what was the object of taking him from those who claimed his services.

"General Chetlain tells us that while he was in command, for two months, of the Jackson District, containing nine counties, there was an average of one black man killed every day, and that in moving out forty miles on an expedition he found seven Negroes wantonly butchered. Colonel Thomas, assistant commissioner of the [Freedmen's] bureau for this state, tells us that there is now a daily average

of two or three black men killed in Mississippi; the sable patriots in blue as they return, are the objects of especial spite."

Governor Sharkey of Mississippi said:

"My expectation concerning them is that they are destined to extinction, beyond all doubt. We must judge of the future by the past. I could tell you a great many circumstances to that effect; I am sorry I did not come prepared with means to state the percentage of deaths among them. It is alarming, appalling, I think they will gradually die out."

General Fisk received a letter from a rich planter living in DeSoto County, Mississippi. "He had on his plantation a little girl, and wrote me a long letter in relation to it, which closed up by saying: 'As to recognizing the rights of freedmen to their children, I will say there is not one man or woman in all the South who believes they are free, but we consider them as stolen property—stolen by the bayonets of the damnable United States government. Yours truly, T. Yancey.'

"There is one thing that must be taken into account, and that is there will exist a very strong disposition among the masters to control these people and keep them as a subordinate and subjected class. Undoubtedly they intend to do that. I think the tendency to establish a system of serfdom is the great danger to be guarded against. I talked with a planter in the La Fourche district, near Tebadouville; he said he was not in favor of secession; he avowed his hope and expectation that slavery would be restored there in some form. I said: 'If we went away and left these people now, do you suppose you could reduce them to slavery?' He laughed to scorn the idea that they could not. 'What!' said I. 'These men who have had arms in their hands?' 'Yes,' he said; 'we should take the arms away from them, of course.'"

There was no inconsiderable number of Southerners who stoutly maintained that Negroes were not free. The Planters' Party of Louisiana in 1864 proposed to revive the Constitution of 1852 with all its slavery features. They believed that Lincoln had emancipated the slaves in the rebellious parts of the country as a war measure. Slavery remained intact within the Federal lines except as to the return of fugitives, and might be reinstated everywhere at the close of hostilities; or, in any case, compensation might be obtained by loyal citizens through the decision of the Supreme Court.

The situation in Texas was peculiar. During the war, Texan produce had been sent to Europe by the way of Mexico, and a steady stream of cash came in which made slavery all the more valuable. At the end of the war slavery was essentially unimpaired. When the Federal soldiers approached, some of the planters set their Negroes free and some Negroes ran away, but most of the Negroes were kept on the planta-

tions to await Federal action, and there was widespread belief that slavery was an institution and would continue in some form.

The Houston, Texas, *Telegraph* was of the opinion that emancipation was certain to take place but that compulsory labor would replace slavery. Since the Negro was to be freed by the Federal Government solely with a view to the safety of the Union, his condition would be modified only so far as to insure this, but not so far as materially to weaken the agricultural resources of the country. Therefore, the Negroes would be compelled to work under police regulations of a stringent character.

Mr. Sumner reported in 1866 a special slave trade from the South to the West Indies and South America.

"Another big trade is going on; that of running Negroes to Cuba and Brazil. They are running through the country dressed in Yankee clothes, hiring men, giving them any price they ask, to make turpentine on the bay, sometimes on the rivers, sometimes to make sugar. They get them on the cars. Of course the Negro don't know where he is going. They get him to the bay and tell him to go on the steamer to go around the coast, and away goes poor Cuffee to slavery again. They are just cleaning out this section of the country of the likeliest men and women in it. Federal officers are mixed up in it, too."

So much for the attitude of the owning class, the former slave-owners. But the great mass of the Southerners were not slaveholders; they were white peasant-farmers, artisans, with a few merchants and professional men. Large numbers of these were fed by the Federal government and formed a considerable proportion of the fugitives after the war.

General Hatch reported in 1866: "The poorer classes of the white people have an intense dislike" toward Negroes in Mississippi. Five-sixths of the soldiers in the Confederate Army were not slave-owners, and had fought against the competition of Negroes, and for their continued slavery.

"The most discouraging feature was the utter helplessness of the white community in the face of the terrible problem. Almost any thoughtful traveler could see that the majority of the whites were parasites, idlers and semi-vagabonds. According to Sidney Andrews, 'The Negro, as bad as his condition is,' said he, 'seems to me, on the whole, to accommodate himself more easily than the whites to the changed situation. I should say that the question at issue in the South is not 'What shall be done with the Negro?' but 'What shall be done with the whites?' The blacks manage to live comfortably for the most part and help each other; but the whites, accustomed to having all their affairs managed by an aristocracy which was then ruined, seemed

powerless. They chose committees and reported cases of suffering, but any organized action on a large scale could not be expected. It was hoped that aid for the whites would come from the North, for fearful distress from hunger was inevitable."

General Turner said of the conditions in Virginia:

"Among the lower classes of the whites there is a spirit of aggression against the Negro. . . . And a great many of the Negroes are inclined to take the thing in their own hands; they are not disposed to be imposed upon by those people, if they can have half a show to defend themselves. . . .

"With the lower classes—I speak now more particularly of the city of Richmond—probably the feeling does not exist to such an extent in the rural districts—there is an impulsive feeling of aggression—a desire to get the Negro out of the way. They do not think of his rights; they do not appear to know what it means; only they feel that the Negro has something."

General Fisk spoke of Tennessee:

"It is a melancholy fact that among the bitterest opponents of the Negro in Tennessee are the intensely radical loyalists of the mountain district—the men who have been in our armies. . . ."

"The poorer classes of the white people have an intense dislike toward them," said General Hatch. He especially emphasized the situation in Tennessee and spoke of the aid that was being given the white fugitives. He said that the Negro knew that without legal rights he was not safe from the poor whites, and that they had not issued to the Negroes one-tenth of the rations that they had given the poor whites.

"The hatred toward the Negro as a freeman is intense among the low and brutal, who are the vast majority. Murders, shootings, whippings, robbing and brutal treatment of every kind are daily inflicted upon them, and I am sorry to say in most cases they can get no redress. They don't know where to complain or how to seek justice after they have been abused and cheated. The habitual deference toward the white man makes them fearful of his anger and revenge."

The Union members of the Tennessee legislature said:

"That long before the war common laborers had learned to curse the Yankees and Abolitionists and to talk about Negro equality and his rights in the territories. With all this went a great degree of personal violence. Leaving out for the moment the group violence, the organized fight against the Negro which was continuous, the personal physical opposition was continually in existence."

A candidate for Congress in Virginia in 1865 said:

"I am opposed to the Southern states being taxed at all for the re-

demption of this national debt, either directly or indirectly; and *I will vote to repeal all laws that have heretofore been passed for that purpose;* and, in doing so, I do not consider that I violate any obligations to which the South was a party. *We have never plighted our faith for the redemption of the war debt.* The people will be borne down with taxes for years to come; even if the war debt is repudiated, it will be the duty of the government to support the maimed and disabled soldiers, and this will be a great expense; and if the United States Government requires the South to be taxed for the support of Union soldiers, we should insist that all disabled soldiers should be maintained by the United States Government *without regard to the side they had taken in the war.*

"The national debt doubtless seems to you beyond the reach of any hand. Yet I regard it as very probable that one or two or all of three things will be attempted within three years after the Southern members of Congress are admitted to seats—the repudiation of the national debt, the assumption of the Confederate debt, or the payment of several hundred million dollars to the South for property destroyed and slaves emancipated."

A leader from South Carolina, James H. Campbell, said:

"I believe that when our votes are admitted into that Congress, if we are tolerably wise, governed by a moderate share of common sense, we will have our own way. I am speaking now not to be reported. We will have our own way yet, if we are true to ourselves. We know the past, we know not what is to be our future. Are we not in a condition to accept what we cannot help? Are we not in a condition where it is the part of wisdom to wait and give what we cannot avoid giving? I believe as surely as we are a people, so surely, if we are guided by wisdom, we will by the beginning of the next presidential election which is all that is known of the Constitution—for when you talk of the Constitution of the United States it means the presidential election and the share of the spoils—I believe then we may hold the balance of power."

Thus gradually, the South conceived a picture. It deliberately looked backward towards slavery in a day when two Southern poor whites were Presidents of the United States.

Although he was the Emancipator, Abraham Lincoln, too, in many respects, was looking backward toward the past. Lincoln's solution for the Negro problem was colonization. In this respect he went back to the early nineteenth century when the American Colonization Society was formed, with what proved to be two antagonistic objects: The first was the philanthropic object of removing the Negro to Africa and starting him on the road to an independent culture in his

own fatherland. The second and more influential object was to get rid of the free Negro in the United States so as to make color caste the permanent foundation of American Negro slavery. The contradiction of these two objects was the real cause of the failure of colonization, since it early incurred the bitter opposition of both Abolitionists and Negro leaders. The result of the movement was the establishment of Liberia in an inhospitable land and without adequate capital and leadership. The survival of that little country to our day is one of the miracles of Negro effort, despite all of the propaganda of criticism that has been leveled against that country.

When the Negro question became prominent before the war, the project of colonization was revived, and Abraham Lincoln believed in it "as one means of solving the great race problem involved in the existence of slavery in the United States. . . . Without being an enthusiast, Lincoln was a firm believer in colonization." [11]

In the Lincoln-Douglas debates, Lincoln said at Peoria, Illinois:

"If all earthly power were given me, I should not know what to do as to the existing institution. My first impulse would be to free all the slaves and send them to Liberia—to their own native land. But a moment's reflection would convince me that, whatever of high hope (as I think there is) there may be in this, in the long run its sudden execution is impossible. If they were all landed there in a day, they would all perish in the next ten days; and there are not surplus shipping and surplus money enough in the world to carry them there in many times ten days. What then? Free them all and keep them among us as underlings? Is it quite certain that this betters their condition? I think that I would not hold one in slavery at any rate, yet the point is not clear enough for me to denounce people upon. What next? Free them and make them politically and socially our equals? My own feelings will not admit of this, and if mine would, we well know that those of the great mass of whites will not." [12]

Later, speaking at Springfield, Illinois, Lincoln declared: "That the separation of races is the only perfect preventive of amalgamation."

Several prominent Republicans espoused deportation in 1859. F. B. Blair of Missouri wrote to Senator Doolittle of Minnesota:

"I am delighted that you are pressing the colonization scheme in your campaign speeches. I touched upon it three or four times in my addresses in Minnesota and if I am any judge of effect it is the finest theme with which to get at the hearts of the people and [it] can be defended with success at all points. . . . I made it the culminating point and inevitable result of Republican doctrine." [13]

When the general strike of slaves began during the war, and the black fugitives began to pour into the Federal lines, Lincoln again

brought forward his proposal of colonization, not simply for the freedmen, but for such free Negroes as should wish to emigrate. He suggested an appropriation for acquiring suitable territory and for other expenses.

By an act of April 16, 1862, which abolished slavery in the District of Columbia, Congress made an appropriation of $100,000 for voluntary Negro emigrants at an expense of $100 each; and later, July 16, an additional appropriation of $500,000 was made at Lincoln's request. The President was authorized "to make provision for transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen." [14]

By an act of July 17, 1862, the President was authorized to colonize Negroes made free by the confiscation acts. Proceeds from confiscated property were to replace monies appropriated for colonization.

Charles Sumner vigorously attacked these plans. He said colonization was unwise: "Because, besides its intrinsic and fatal injustice, you will deprive the country of what it most needs, which is labor. Those freedmen on the spot are better than mineral wealth. Each is a mine, out of which riches can be drawn, provided you let him share the product, and through him that general industry will be established which is better than anything but virtue, and is, indeed, a form of virtue." [15]

In several cases, President Lincoln interviewed delegations on the subject. He believed that a good colonization scheme would greatly encourage voluntary emancipation in the Border States. He spoke to the Border State representatives and said that room in South America for Negro colonization could be obtained cheaply. He received in August, 1862, a committee of colored men, headed by E. M. Thomas, and urged colonization on account of the difference of race.

"Should the people of your race be colonized and where? Why should they leave this country? You and we are different races. We have between us a broader difference than exists between almost any other two races. Whether it is right or wrong I need not discuss, but this physical difference is a great disadvantage to us both, as I think. Your race suffers very greatly, many of them, by living among us, while ours suffers from your presence. In a word, we suffer on each side. If this is admitted it affords a reason why we should be separated. If we deal with those who are not free at the beginning and whose intellects are clouded by slavery, we have very poor material to

start with. If intelligent colored men, such as are before me, would move in this matter much might be accomplished." [16]

A bill was introduced into the House in 1862 appropriating $200,000,000—$20,000,000 to colonize and the rest to purchase 600,000 slaves of Unionist owners in Border States. The bill was not passed but the committee made an elaborate report on colonization July 16, 1862, declaring:

"The most formidable difficulty which lies in the way of emancipation in most if not in all the slave states is the belief which obtains especially among those who own no slaves that if the Negroes shall become free they must still continue in our midst, and . . . in some measure be made equal to the Anglo-Saxon race. . . . The belief [in the inferiority of the Negro race] . . . is indelibly fixed upon the public mind. The differences of the races separate them as with a wall of fire; there is no instance in history where liberated slaves have lived in harmony with their former masters when denied equal rights—but the Anglo-Saxon will never give his consent to Negro equality, and the recollections of the former relation of master and slave will be perpetuated by the changeless color of the Ethiop's skin. Emancipation therefore without colonization could offer little to the Negro race. A revolution of the blacks might result, but only to their undoing. To appreciate and understand this difficulty it is only necessary for one to observe that in proportion as the legal barriers established by slavery have been removed by emancipation the prejudice of caste becomes stronger and public opinion more intolerant to the Negro race." [17]

In his second annual message, December 1, 1862, the President referred to communications from colored men who favored emigration, and to protests from several South American countries against receiving Negroes. He requested further appropriations for colonizing free Negroes with their own consent, but showed a deviation from his former philosophy:

"I cannot make it better known than it already is, that I strongly favor colonization; and yet I wish to say there is an objection urged against free colored persons remaining in the country, which is largely imaginary, if not sometimes malicious. It is insisted that their presence would injure and displace white labor more by being free than by remaining slaves. If they stay in their old places they jostle no white laborers; if they leave their old places, they leave them open to white laborers. Logically then there is neither more nor less of it. Emancipation, even without deportation, would probably enhance the wages of white labor and very surely would not reduce them. Reduce the supply of black labor by colonizing the black laborer out of the country

and by precisely so much you increase the demand for and wages of white labor."

Several negotiations were begun with foreign countries that owned colonies in the West Indies, and with South American countries. The Cabinet discussed the matter. Bates wanted compulsory deportation, but the President objected to this. Finally, he settled on two projects: one, in Panama, and the other in the West Indies, where an island was ceded by Haiti. An adventurer, named Kock, undertook to carry five thousand colored emigrants to the island, but the result was a fiasco and a large number of the four hundred actually sent died of disease and neglect, and were finally brought back to the United States on a war vessel.

As late as April, 1865, President Lincoln said to General Butler:

"'But what shall we do with the Negroes after they are free?' inquired Lincoln. 'I can hardly believe that the South and North can live in peace unless we get rid of the Negroes. Certainly they cannot, if we don't get rid of the Negroes whom we have armed and disciplined and who have fought with us, to the amount, I believe, of some 150,000 men. I believe that it would be better to export them all to some fertile country with a good climate, which they could have to themselves. You have been a staunch friend of the race from the time you first advised me to enlist them at New Orleans. You have had a great deal of experience in moving bodies of men by water—your movement up the James was a magnificent one. Now we shall have no use for our very large navy. What then are our difficulties in sending the blacks away? . . .

"'I wish you would examine the question and give me your views upon it and go into the figures as you did before in some degree so as to show whether the Negroes can be exported.' Butler replied: 'I will go over this matter with all diligence and tell you my conclusions as soon as I can.' The second day after that Butler called early in the morning and said: 'Mr. President, I have gone very carefully over my calculations as to the power of the country to export the Negroes of the South and I assure you that, using all your naval vessels and all the merchant marine fit to cross the seas with safety, it will be impossible for you to transport to the nearest place that can be found fit for them—and that is the Island of San Domingo, half as fast as Negro children will be born here.'"[18]

The Secretary of the Interior in December, 1863, reported that the Negroes were no longer willing to leave the United States and that they were needed in the army. For these reasons, he thought that they should not be forcibly deported. On July 2, 1864, all laws relating to Negro colonization were repealed.

Lincoln was impressed by the loss of capital invested in slaves, but curiously never seemed seriously to consider the correlative loss of wage and opportunity of slave workers, the tangible results of whose exploitation had gone into the planters' pockets for two centuries.

A. K. McClure says: "Some time in August, 1864, I spent an hour or more with him alone at the White House, and I, then, for the first time spoke with frankness on the subject of restoring the Insurgent States. . . . He startled me by his proposition that he had carefully written out in his own hand on a sheet of note paper, proposing to pay the South $400,000,000 for the loss of their slaves. He was then a candidate for reëlection, and grave doubts were entertained, until after Sherman's capture of Atlanta and Sheridan's victories in the valley, as to the result of the contest between Lincoln and McClellan; and he well knew that if public announcement had been made of his willingness to pay the South $400,000,000 for emancipation it would have defeated him overwhelmingly." [19]

This project of compensation for lost capital invested in slaves was permanently dropped and Lincoln had to turn to the question of the relation of the seceded states to the Union once the war was ended. The situation was absolutely unique. It was impossible to appeal to constitutional precedence, for the Constitution never contemplated anything like the things that had happened between 1861 and 1865.

The grave question of the future relation of the seceded states to the Union could not be settled by Lincoln's pragmatic procedure. It must be visioned as a whole and put into law and logic. Toward this, Lincoln was moving slowly and tentatively seeking a formula that would work and yet be just to all men of all colors, and consistent with the legal fabric of the nation.

Charles Sumner first laid down a comprehensive formula February 11, 1862:

"1. RESOLVED, That any vote of secession, or other act, by a state hostile to the supremacy of the Constitution within its territory, *is inoperative and void against the Constitution,* and, when sustained by *force,* becomes a practical abdication by the State of all rights under the Constitution, while the treason it involves works instant forfeiture of all functions and powers essential to the continued existence of the State as a body politic; so that from such time forward the territory falls under the exclusive jurisdiction of Congress, as other territory, and the State becomes, according to the language of the law, felo-de-se." [20]

This plan was too radical for Lincoln, but that spring he proceeded to appoint military governors in Tennessee, North Carolina, Arkansas and Louisiana, where the Union Army held parts of the states. During the summer, he corresponded with Southern friends in Louisiana, and

in December, due to his pressure, two members of Congress were elected in Louisiana from New Orleans and its suburbs, which was the only part under the control of the Union Army.

The Confederate legislature which was meeting simultaneously at Shreveport declared:

"(1) Every citizen [Negroes were not citizens] should vote who had not forfeited his citizenship by electing to adhere to the government of the United States.

"(2) Five hundred thousand dollars were voted to pay for slaves lost by death or otherwise, while impressed on the public works.

"(3) Any slave bearing arms against the inhabitants of the state or the Confederate States, or who should engage in any revolt or rebellion or insurrection should suffer death." [21]

The two Louisiana Congressmen were admitted to Congress with some hesitation, and Lincoln was encouraged to make further experiment along this line. In his message of December 8, 1863, therefore, he outlined a general plan of Reconstruction.

He regarded the states as still existing, even during the war, and that the rebellion was a combination of disloyal persons in the states. Reconstruction was an executive problem which consisted in creating a loyal class in the states and supporting that class by military power until it organized and operated the state government. The loyal class was to swear allegiance to the United States and to the Acts of Congress unless they were held void or changed, and all persons could take this oath unless they were civil officials of the Confederate Government, or military officers above the rank of Colonel or Lieutenant in the navy; or unless they had resigned from Congress or the United States Courts, or from army and navy, in order to aid the rebellion; or unless they had not treated colored soldiers or the leaders of colored soldiers as prisoners of war.

Such a loyal class he was prepared to recognize in Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South Carolina and North Carolina, when they formed not less than one-tenth of the votes cast in their state at the presidential election of 1860. Lincoln was careful to say that whether members who went to Congress from any of these states should be admitted or not rested exclusively with the Houses of Congress and not with the President.

Virginia was not included because Lincoln had already recognized the government at Alexandria as the true government of Virginia during the war, and, therefore, assumed that Virginia needed no Reconstruction, but was to be treated like Kentucky and Missouri. Of course, the support of a government consisting of only one-tenth of its voters had to come from the outside; that is, from the Federal

army. In his accompanying proclamation of the same date, the President also engaged by this proclamation not to object to any provision which might be adopted by such state governments in relation to the freed people of the states which should recognize and declare their permanent freedom and provide for present condition "as a laboring, landless, and homeless class."

Here emerged a clear feature of the Lincoln plan which has not been emphasized. On this matter of the freedom of the Negroes, and a real, not a nominal freedom, Abraham Lincoln was adamant. In December, 1863, his "message contained an unusually forcible and luminous expression of the principles embraced in the proclamation. The President referred to the dark and doubtful days which followed the announcement of the policy of emancipation and of the employment of black soldiers; the gradual justification of those acts by the successes which the national arms had since achieved; of the change of the public spirit of the Border States in favor of emancipation; the enlistment of black soldiers, and their efficient and creditable behavior in arms; the absence of any tendency to servile insurrection or to violence and cruelty among the Negroes; the sensible improvement in the public opinion of Europe and of America.

"In justification of his requiring, in the oath of amnesty, a submission to and support of the anti-slavery laws and proclamations, he said: 'Those laws and proclamations were enacted and put forth for the purpose of aiding in the suppression of the rebellion. To give them their fullest effect, there had to be a pledge for their maintenance. In my judgment they have aided and will further aid the cause for which they were intended. To now abandon them would be not only to relinquish a lever of power, but would also be a cruel and an astounding breach of faith.' "

The reception of Lincoln's message to Congress in December, 1863, was enthusiastic:

"Men acted as though the millennium had come. Chandler was delighted, Sumner was joyous, apparently forgetting for the moment his doctrine of state suicide; while at the other political pole, Dixon and Reverdy Johnson said the message was 'highly satisfactory.' Henry Wilson said to the President's secretary: 'He has struck another great blow. Tell him for me, God bless him.' The effect was similar in the House of Representatives. George S. Boutwell, who represented the extreme anti-slavery element of New England, said: 'It is a very able and shrewd paper. It has great points of popularity, and it is right.' Owen Lovejoy, the leading abolitionist of the West, seemed to see on the mountain the feet of one bringing good tidings. 'I shall live,' he said, 'to see slavery ended in America.' . . . Francis W. Kellogg of Michi-

gan went shouting about the lobby: 'The President is the only man. There is none like him in the world. He sees more widely and more clearly than any of us.' Henry T. Blow, the radical member from St. Louis (who was six months later denouncing Mr. Lincoln as a traitor to freedom) said: 'God bless old Abe! I am one of the Radicals who have always believed in him.' Horace Greeley, who was on the floor of the House, went so far as to say the message was 'devilish good.' " [22]

The causes of this jubilation were, however, dangerously diverse; the Abolitionists saw mainly the determination of Lincoln utterly to abolish slavery. This had not been clear before. Lincoln had never been an Abolitionist; he had never believed in full Negro citizenship; he had tried desperately to win the war without Negro soldiers, and he had emancipated the slaves only on account of military necessity. On the other hand, Lincoln learned; he stood now for abolishing slavery forever; he gave full credit and praise to Negro soldiers; and he was soon to face the problem of Negro citizenship.

Northern capital and Southern sympathizers in the North hailed the message because it carried no note of revenge or punishment, and contemplated speedy restoration of political independence in the South and normal industry.

Now came the very pertinent question as to just how this freedom of Negroes was to be enforced and maintained. Lincoln, working at this problem in Louisiana, in his correspondence with Banks, who was now in command, and Shepley, Military Governor, encouraged preparations for a reconstructed state government. Banks arranged to elect state officials and accepted as the basis of voting the provisions of the Louisiana Constitution of 1852 which, of course, allowed no Negroes to vote.

Accordingly, he declared the electors to be:

"Every free white male, 21 years of age, who had been resident in the state 12 months, and in the parish 6 months, who shall be a citizen of the United States and shall have taken the oath prescribed by the President in December, 1863." The total vote on February 22, 1864, was 11,355, of which Hahn received 6,171, Fellows, 2,959, and Flanders, 2,225, giving a majority to Hahn for Governor.[23]

If this experiment in Reconstruction had been attempted anywhere but in Louisiana, it is possible that the whole question of Negro suffrage would not have been raised then or perhaps for many years after. But by peculiar fate, it happened that a problem of Negro voting was immediately raised in Louisiana by the election of 1864, which simply could not be ignored. Usually, the argument concerning Negro suffrage after the war was met by an expression of astonishment that anybody could for a moment consider the admission of ignorant, brut-

ish field hands to the ballot-box in the South. But that was not the problem which faced General Banks and Abraham Lincoln in 1864.

In Louisiana, where the question of Negro suffrage first arose as a problem, there existed a group of free Negroes. Their fathers had been free when Louisiana was annexed to the United States. Their numbers had increased from 7,585 in 1810 to 25,505 in 1840, and then declined to 18,647 in 1860, by emigration and by passing over into the white race on the part of their octoroon and lighter members.

Negroes in Louisiana in 1860 owned fifteen million dollars' worth of property. The Ricaud family alone in 1859 owned 4,000 acres of land and 350 slaves, at a total value of $250,000. The development of this mulatto group was extraordinary. Beginning under the French and Spanish, they played a remarkable part in the history of the state. The Spanish government while in possession of Louisiana had raised among them two companies of militia, "composed of all the mechanics which the city possessed."

This group of Negroes took part in the Battle of New Orleans in 1815, and was extravagantly praised by Andrew Jackson. They were the cause of an extraordinary blossoming of artistic life, which made New Orleans in the early part of the nineteenth century the most picturesque city of America. Negro musicians and artists arose. Eugene Warburg, a colored man, went from New Orleans to become a sculptor in France. Dubuclet became a musician in France, and the Seven Lamberts taught and composed in North and South America and Europe. Sidney was decorated for his work by the King of Portugal, and Edmund Dede became a director of a leading orchestra in France.

Alexandre Pickhil was a painter, who died between 1840 and 1850. Joseph Abeillard was an architect and planned many New Orleans buildings before the war. Norbert Rillieux invented the vacuum-pan used in producing sugar; as an engineer and contractor Rillieux had no rivals in Louisiana. The general periodicals in New Orleans praised him but seldom alluded to his Negro descent.

In 1843-1845, New Orleans colored folk issued a magazine and seventeen of the young mulatto poets collected an anthology called *Les Cenelles,* which they published as a small volume. They were all men educated either in France, or in private schools in Louisiana, and were in contact with some of the best writers and literature of the day. It is doubtful if anywhere else in the United States a literary group of equal culture could have been found at the time. In 1850, four-fifths of the free Negroes living in New Orleans could read and write, and they had over a thousand children in school. Among them were carpenters, tailors, shoemakers and printers, besides teachers, planters and professional men.

James Derham, a colored man in New Orleans in 1800, had a medical practice of $3,000 a year. He was especially commended by Dr. Benjamin Rush. Below the professional level were numbers of Negroes of ability. There was the celebrated sorceress, Marie Laveau, who, about 1835, exercised an extraordinary influence throughout the city. In 1850, Louisiana had a colored architect, 6 physicians, 4 engineers, and over 20 teachers in schools and in music. As early as 1803, free colored men were admitted to the police force to patrol outside the city limits, to catch runaway slaves and stop looting and crime.

There was systematic common law marriage between whites and mulattoes. The connections formed with the quadroons and octoroons were often permanent enough for the rearing of large families, some of whom obtained their freedom through the affection of their father-master, and received the education he would have bestowed upon legitimate offspring.

When Butler came to New Orleans, it was one of these colored creoles who entertained him at a banquet of seven courses served on silver.

"The secret, darling desire of this class is to rank as human beings in their native city; or, as the giver of the grand banquet expressed it, 'No matter where I fight; I only wish to spend what I have, and fight as long as I can, if only my boy may stand in the street equal to a white boy when the war is over.'" [24]

"The best blood of the South flowed in their veins, and a great deal of it; for 'the darkest of them,' said General Butler, 'were about of the complexion of the late Mr. Webster.'" [25]

This was the history of the free Negroes of New Orleans, and to this must be added their labor, coöperation and enlistment as soldiers. Could the government of the United States allow Confederate soldiers to vote simply because they were white, and exclude Union soldiers simply because they were yellow or black? Even if the Negroes had been quiescent and willing to be ignored at this critical time, their rights were indisputable. But they were not quiet.

The Negroes themselves made strong statements. In November, 1863, the free men of color held a meeting in New Orleans and drew up an appeal to Governor Shepley "asking to be allowed to register and vote." They reviewed their services under Jackson, who called them "my fellow citizens" just after the battle of New Orleans, and they declared their present loyalty to the Union. "For forty-nine years," the petition ran, "they have never ceased to be peaceable citizens, paying their taxes on assessments of more than nine million dollars."

But, however strongly this petition appealed to Shepley, it was manifestly impossible to grant it at this time. The decisive reason was

that if Negroes had been allowed to vote in this election they would have formed the majority of the voting population of Union Louisiana!

So far as is known, Shepley returned no answer to the appeal; for in the following January, the colored Union Radical Association sent a committee to call on Shepley requesting him to recognize the "rights" of the free colored population to the franchise. Shepley, unwilling and unable to assume such responsibility, referred the committee to General Banks, but the latter gave them no definite reply. He explained later:

"I thought it unwise to give them the suffrage, as it would have created a Negro constituency. The whites might give suffrage to the Negroes, but if the Negroes gave suffrage to the whites, it would result in the Negro losing it. My idea was to get a decision from Judge Durell declaring a man with a major part of white blood should possess all the rights of a white man; but I had a great deal to do, and a few men who wanted to break the bundle of sticks without loosening the band defeated it." [26]

Accordingly, the colored committee sent P. M. Tourné to Washington to advocate their claims before the President. The President sent a man named McKee to New Orleans to study conditions among the colored people. Lincoln was impressed but characteristically reticent and slow in action.

General Banks next issued a call for a constitutional convention to be held March 28, 1864, to amend the Constitution of 1852. Contrary to this Constitution, he based representation in the new government on the white population alone, so as to reduce the power of the great landholders; and Negroes were not allowed to vote. The total vote for this convention was only 6,400.

When asked to direct the Louisiana Constitutional Convention of 1864, Lincoln refused and wrote: "While I very well know what I would be glad for Louisiana to do, it is quite a difficult thing for me to assume direction in the matter. I would be glad for her to make a new Constitution recognizing the Emancipation Proclamation, and adopting emancipation in those parts of the state to which the Proclamation does not apply. And while she is at it, I think it would not be objectionable for her to adopt some practical system by which the two races could gradually lift themselves out of their old relation to each other, and both come out better prepared for the new. Education for young blacks should be included in the plan. After all, the power or element of 'contract' may be sufficient for this probationary period, and by its simplicity and flexibility be better.

"As an anti-slavery man, I have a motive to desire emancipation

which pro-slavery men do not have; but even they have strong enough reasons to thus place themselves again under the shield of the Union, and to thus perpetually hedge against the recurrence of the scenes through which we are now passing. . . .

"For my own part, I think I shall not, in any event, retract the Emancipation Proclamation; nor, as executive, ever return to slavery any person who is free by the terms of that Proclamation, or by any of the acts of Congress. If Louisiana shall send members to Congress, their admission will depend, as you know, upon the respective Houses and not upon the President." [27]

Here again was the same insistence that Negro freedom must be real and guaranteed and again the puzzling question, how could this be accomplished? Abraham Lincoln took a forward step and by his letter of March 13 to the newly elected Governor Hahn, he made the first tentative suggestion for a Negro suffrage in the South. Evidently, the persistent agitation of colored New Orleans inspired this:

"Executive Mansion,
"Washington, March 13, 1864.

"Hon. Michael Hahn:

"My dear Sir: In congratulating you on having fixed your name in history as the first Free State Governor of Louisiana, now you are about to have a convention, which, among other things, will probably define the elective franchise, I barely suggest, for your private consideration, whether some of the colored people may not be let in, as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would probably help in some trying time in the future to keep the jewel of Liberty in the family of freedom. But this is only suggestion, not to the public, but to you alone.

"Truly yours,
"A. Lincoln." [28]

This was a characteristic Lincoln gesture. He did not demand or order; he suggested, and incidentally adduced logical arguments of tremendous strength. This letter of Lincoln's, says Blaine, was "of deep and almost prophetic significance. It was perhaps the earliest proposition from any authentic source to endow the Negro with the right of suffrage." [29]

Thus, with his unflinching honesty of logic, Lincoln faced the problem of Negro voters. It was unthinkable that Negroes who had fought to preserve the Union or that Negroes of education and property should be excluded from the right to vote by the very nation whose life they had saved. On the other hand, unless a state saw this clearly, he did not see how it could be forced to see it. He made the sugges-

tion, therefore, quietly and secretly, and he knew that he had a slowly growing public opinion in the North behind him.

"To keep the jewel of Liberty in the family of freedom," was a splendid and pregnant phrase and it had back of it unassailable facts.

The delegates met April 6, 1864, and sat for 78 days. The convention was divided on the question of compensation for loyal slaveholders, the education of the freedmen at the expense of the state, and Negro suffrage. Slavery was abolished by a vote of 72-13. An appeal was made to Congress for compensation for slaves; and on May 10, the convention adopted a resolution declaring that the legislature should never pass any act authorizing free Negroes to vote. Banks and Hahn, however, brought pressure to bear and some forty votes were changed, so that June 23, Gorlinsky moved that "The legislature shall have power to pass laws extending the right of suffrage to such persons, citizens of the United States, as by military service, by taxation to support the government, or by intellectual fitness, may be deemed entitled thereto." Many members did not understand this, but Sullivan of New Orleans denounced it as "A nigger resolution," and moved to lay it on the table. Without discussion, it was adopted 48-32.

Before the assembling of the convention, Banks on his own responsibility had appointed a Board of Education, of three members, for the freedmen's schools and given it power to establish schools in every school district, and to levy a tax to support the system. This order was discussed in the convention, and finally approved by a vote of 72-9. Also, by a vote of 53-27, general taxation for the support of free public schools for all was approved. The convention discussed a proposition of recognizing all persons as white who had less than one-fourth of Negro blood. But this involved too intricate inquiries into ancestry, a matter which often in Louisiana led to duels and murder. It was, therefore, voted down.

The expense of this white convention amounted to more than $1,000 a day and included liquor, cigars, carriage hire, stationery and furniture. It illustrated the extravagant habits of the time, and was quite as bad as any similar waste in South Carolina when Negroes were part of the legislature. The New Orleans *Times* described some of the proceedings of the convention as "sickening and disgusting" and said that the president was "drunk and a damned fool," and that "pandemonium" had reigned.[30]

The Constitution was finally adopted, 67-16, and the convention adjourned in August with a provision that it could be reconvoked by the president for further amending the Constitution. The Constitution was adopted by a vote of 6,836 to 1,566.

On September 5, 1864, a legislature was elected according to the

new Constitution. There were 9,838 votes cast, and it was alleged that many colored persons were allowed to register and vote. The new legislature met October 3, 1864. This legislature is said by some authorities to have refused by a large majority to grant the suffrage to the Negro. Ficklin, on the other hand, says that no final vote was actually taken. Certainly the legislature was against Negro suffrage. And when a petition was introduced from five thousand Negroes, "many if not the majority" of whom had been in the Federal army, asking for the suffrage, no action was taken. One member, apparently expressing the general sentiment, said: "It will be time enough to grant this petition when all the other free states grant it and set us the example. When this state grants it, I shall go to China." [31]

Governor Hahn made no suggestion, and when he resigned from office, said that universal suffrage would be granted "whenever it is deemed wise and timely. Louisiana has already done more than three-fourths of the Northern states."

The Legislature refused to permit marriages between blacks and whites, and there was one attempt to refer the question of Negro suffrage to the people. The Thirteenth Amendment was adopted and United States Senators were elected, including Governor Hahn for the term beginning in 1865.

Meantime, the whole problem of Reconstruction in Louisiana came up in Congress and met the opposition represented by the Wade-Davis Bill.

In Arkansas, in a similar way, by white suffrage, an anti-slavery Constitution was adopted, and Senators and Representatives elected in the spring of 1864.

Yet, after all, this was general and preliminary, and certain details must be settled before Representatives and Senators from these states could be received in Congress; especially the question loomed as to how far Reconstruction was going to be an automatic executive function and how far a matter of Congressional supervision.

Congress, thereupon, decided to lay down a fundamental plan. The part of the President's message on Reconstruction was referred in the House to a select committee, of which Henry Winter Davis was chairman. The result was a congressional scheme of Reconstruction.

The Wade-Davis Bill, passed July 4, 1864, provided that the eleven states which had seceded were to be treated as rebellious communities, over each of which the President would appoint a Provisional Governor. This Governor should exercise all powers of government until the state was recognized by Congress as restored. Whenever the Governor regarded the rebellion in his state as suppressed, he was to direct the United States Marshal to enroll all resident white male

citizens, and give them an opportunity to swear allegiance to the United States. When a majority of these citizens had taken the oath, they could elect delegates to a convention and the convention would establish a state government. Persons who had held any office under the Confederate government could not vote for delegates, or be elected as delegates to the convention. The Convention was to adopt a state constitution which must abolish slavery, repudiate Confederate and state debts incurred by the Confederates, and disqualify Confederate officials from voting, or being elected Governor or a member of the Legislature. When this Constitution was ratified by a majority of the voters, the President, with the consent of Congress, would proclaim the state government as established. After that, Representatives, Senators, and presidential electors could be chosen. The bill also abolished slavery in the rebellious states during the process of Reconstruction.

Thus Congress followed Charles Sumner's "State Suicide" theory and formulated Reconstruction measures which regarded the seceding states as territories and administered them as such by civil government until they were re-admitted.

This bill did not differ radically from the President's plan. It was quite as liberal to the Confederates and wiser in requiring a majority of voters, instead of only one-tenth, for Reconstruction. It was more methodical and complete because Lincoln had been leaving the matter vague until he could sense more clearly the possibilities.

Both the Wade-Davis plan and the Lincoln plan excluded the Negro from the right of suffrage. In the House there was a motion to strike out the word "white," but this was cut off by the previous question. Boutwell regretted, May 4, that this limitation of the right to vote seemed required by the present judgment of the House and of the country. When the bill came to the Senate July 1, Wade, as Chairman, reported it to the Committee with an amendment striking out the word "white." This amendment received only five votes, including that of Charles Sumner. Sumner, however, finally voted for the bill because of its provisions against slavery. He had already introduced, May 27, 1864, another resolution anticipating the Committee of Fifteen in the 39th Congress, and declaring that no representatives from Confederate states should be admitted without a vote of both Houses. Lincoln, however, became more and more obdurate. He wrote: "Some single mind must be master," and he wished strongly to carry through Reconstruction without too much interference.

When the Wade-Davis Bill came to the President July 4, 1864, he laid it aside and refused to sign it, explaining his position July 8, 1864, in a proclamation: "While I am—as I was in December

last, when by proclamation I propounded a plan of restoration—unprepared by formal approval of this bill to be inflexibly committed to any single plan of restoration; and while I am also unprepared to declare that the free State constitutions and governments, already adopted and installed in Arkansas and Louisiana, shall be set aside and held for naught, thereby repealing and discouraging the loyal citizens who have set up the same as to further effort, or to declare a constitutional competency in Congress to abolish slavery in states; but am at the same time sincerely hoping and expecting that a constitutional amendment abolishing slavery throughout the nation may be adopted, nevertheless, I am fully satisfied with the system for restoration contained in the bill as one very proper plan for the loyal people of any state choosing to adopt it; and I am, and at all times shall be, prepared to give the executive aid and assistance to any such people, so soon as military resistance to the United States shall have been suppressed in any such state, and the people thereof shall have sufficiently returned to their obedience to the Constitution and the laws of the United States, in which cases military governors will be appointed, with directions to proceed according to the bill."

Senator Wade and Representative Davis took their contentions to the country in the summer of 1864.

"We have read without surprise, but not without indignation, the proclamation of the President of the 8th of July, 1864. The supporters of the Administration are responsible to the country for its conduct; and it is their right and duty to check the encroachments of the Executive on the authority of Congress, and to require it to confine itself to its proper sphere."

They denounced Lincoln's Reconstruction plan and emphasized the distinction between Executive and Legislative power in Reconstruction. Despite the manifesto and opposition on other grounds, Lincoln was reëlected; but the issue remained to be fought out between Congress and Johnson.

Again in his message of December, 1864, Lincoln returned even more emphatically to the matter of the freedom of the slaves. One cannot be in much doubt as to what Abraham Lincoln's reaction would have been to the black codes of South Carolina and Mississippi. Certainly no state with such laws concerning the black laborer would have been admitted to the Union with Abraham Lincoln's consent:

"While I remain in my present position I shall not attempt to retract or modify the Emancipation Proclamation. Nor shall I return to slavery any person who is free by the terms of that Proclamation, or by any of the Acts of Congress. *If the people should, by whatever mode*

*or means, make it an Executive duty to reënslave such persons, another, and not I, must be their instrument to perform it.*" [32]

The Trumbull Resolution of February 18, 1865, recognizing the restored Louisiana government, revealed a disposition in the Senate to yield to Lincoln. But the rising Abolition-democracy protested. Wendell Phillips spoke in Faneuil Hall.

"Gentlemen, you know very well that this nation called 4,000,000 of Negroes into citizenship to save itself. (Applause.) It never called them for their own sakes. It called them to save itself. (Cries of 'Hear, Hear.') And today this resolution offered in Faneuil Hall would take from the President of such a nation the power to protect the millions you have just lifted into danger. (Cries of 'Played out,' 'Sit down,' etc.) You won't let him protect them. (Cries of 'No.') What more contemptible object than a nation which for its own selfish purpose summons four millions of Negroes to such a position of peril, and then leaves them defenseless."

In the Senate, Sumner was adamant in his demand that all men, irrespective of color, should be equal as citizens in the reconstructed states. He believed that a first false step in this matter would be fatal. The debate began February 23, 1865, and Sumner fought every step. He moved a substitute which received only eight votes. He tried to displace the resolution, and filibustered. When asked to give up, he replied, "That is not my habit."

Sumner sent in a second substitute declaring that the cause of human rights and of the Union needed the ballots as well as the muskets of colored men. He offered another amendment imposing equal suffrage as the fundamental condition for the admission of the seceded states. A night session was called which lasted until nearly Sunday morning. Sumner was rebuked for his arrogance and assumed superiority and the Senate finally adjourned, half an hour before midnight.

Only five days of the session remained. Wade now entered the debate and denounced the Louisiana government as a mockery and compared it to the Lecompton Constitution of Kansas. Sumner again bitterly arraigned the proposed Louisiana state government as "a mere seven months' abortion, begotten by the bayonet, in criminal conjunction with the spirit of caste, and born before its time, rickety, unformed, unfinished, whose continued existence will be a burden, a reproach, and a wrong." [33]

The bill finally failed. It was Sumner's greatest parliamentary contest and with his triumph, the cause of Negro suffrage was won. Wendell Phillips, Frederick Douglass, Parker Pillsbury and others wrote to congratulate Sumner. Douglass said:

"The friends of freedom all over the country have looked to you

and confided in you, of all men in the United States Senate, during all this terrible war. They will look to you all the more now that peace dawns, and the final settlement of our national troubles is at hand. God grant you strength equal to your day and your duties, is my prayer and that of millions!"

Ashley's Reconstruction bill came before the House of Representatives January 16, February 21, and February 22, 1865. Each draft confined suffrage to white male citizens, except one, in which colored soldiers were admitted to the suffrage. Ashley opposed this discrimination, but his committee overruled him.

In his last public speech, April 11, 1865, Lincoln returned to the subject of Reconstruction. "The new Constitution of Louisiana, declaring Emancipation for the whole State, practically applies the proclamation to the part previously excepted. It does not adopt apprenticeship for freed people, and it is silent, as it could not well be otherwise, about the admission of members to Congress. So that, as it applies to Louisiana, every member of the Cabinet fully approved the plan. The message went to Congress, and I received many commendations of the plan, written and verbal, and not a single objection to it from any professed emancipationist came to my knowledge until after the news reached Washington that the people of Louisiana had begun to move in accordance with it. From about July, 1862, I had corresponded with different persons supposed to be interested [in] seeking a reconstruction of a State government for Louisiana. When the message of 1863, with the plan before mentioned, reached New Orleans, General Banks wrote me that he was confident that the people, with his military cooperation, would reconstruct substantially on that plan. I wrote to him and some of them to try it. They tried it, and the result is known. Such only has been my agency in setting up the Louisiana government. . . .

"We all agree that the seceded States, so-called, are out of their proper practical relation with the Union, and that the sole object of the Government, civil and military, in regard to those States, is to again get them into that proper practical relation. I believe that it is not only possible, but in fact easier, to do this without deciding or even considering whether these States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. Let us all join in doing the acts necessary to restoring the proper practical relations between these States and the Union, and each forever after innocently indulge his own opinion whether in doing the acts he brought the States from without into the Union, or only gave them proper assistance, they never having been out of it. The amount of constituency, so

to speak, on which the new Louisiana government rests, would be more satisfactory to all if it contained 50,000, or 30,000, or even 20,000, instead of only about 12,000, as it does. It is also unsatisfactory to some that the elective franchise is not given to the colored man. I would myself prefer that it were now conferred on the very intelligent, and on those who serve our cause as soldiers.

"Still, the question is not whether the Louisiana government, as it stands, is quite all that is desirable. The question is, will it be wiser to take it as it is and help to improve it, or to reject and disperse it? Can Louisiana be brought into proper practical relation with the Union sooner by sustaining or by discarding her new State government? Some twelve thousand voters in the heretofore slave State of Louisiana have sworn allegiance to the Union, assumed the rightful political power of the state, held elections, organized a State government, adopted a free State constitution, giving the benefit of public schools equally to black and white, and empowered the Legislature to confer the elective franchise upon the colored man. Their Legislature has already voted to ratify the constitutional amendment, recently passed by Congress, abolishing slavery throughout the nation. These twelve thousand persons are thus fully committed to the Union and to perpetual freedom in the State—committed to the very things, and nearly all the things, the nation wants—and they ask the nation's recognition and its assistance to make good their committal.

"Now, if we reject and spurn them, we do our utmost to disorganize and disperse them. We, in effect, say to the white man: You are worthless or worse; we will neither help you, nor be helped by you. To the blacks we say: This cup of liberty which these, your old masters, hold to your lips, we will dash from you, and leave you to the chances of gathering the spilled and scattered contents in some vague and undefined when, where, and how. If this course, discouraging and paralyzing both white and black, has any tendency to bring Louisiana into proper practical relations with the Union, I have so far been unable to perceive it. If, on the contrary, we recognize and sustain the new government of Louisiana, the converse of all this is made true. We encourage the hearts and nerve the arms of the twelve thousand to adhere to their work, and argue for it, and proselyte for it, and fight for it, and feed it, and grow it, and ripen it to a complete success. The colored man, too, in seeing all united for him, is inspired with vigilance and energy and daring to the same end. Grant that he desires the elective franchise, will he not attain it sooner by saving the already advanced steps towards it than by running backward over them? Concede that the new government of Louisiana is only to what it

should be as the egg is to the fowl, we shall sooner have the fowl by hatching the egg than by smashing it." [34]

The tragic death of Lincoln has given currency to the theory that the Lincoln policy of Reconstruction would have been far better and more successful than the policy afterward pursued. If it is meant by this that Lincoln would have more carefully followed public opinion and worked to adjust differences, this is true. But Abraham Lincoln himself could not have settled the question of Emancipation, Negro citizenship and the vote, without tremendous difficulty.

First of all he was bitterly hated by the overwhelming mass of Southerners. Mark Pomeroy, a Northern Copperhead, voiced the extreme Southern opinion when he wrote:

"It is you Republicans who set up at the head of the nation a hideous clown . . . who became a shameless tyrant, a tyrant justly felled by an avenging hand, and who now rots in his tomb while his poisonous soul is consumed by the eternal flames of hell." [35]

Even conservative Southern papers continually referred to Lincoln as a "gorilla" or a "clown." And when we consider the fact that Lincoln was determined upon real freedom for the Negro, upon his education, and at least a restricted right to vote, it is difficult to see how the South could have been brought to agreement with him.

In the South there was absence of any leadership corresponding in breadth and courage to that of Abraham Lincoln. Here comes the penalty which a land pays when it stifles free speech and free discussion and turns itself over entirely to propaganda. It does not make any difference if at the time the things advocated are absolutely right, the nation, nevertheless, becomes morally emasculated and mentally hog-tied, and cannot evolve that healthy difference of opinion which leads to the discovery of truth under changing conditions.

Suppose, for instance, there had been in the South in 1863 a small but determined and clear-thinking group of men who said: "The Negro is free and to make his freedom real, he must have land and education. He must be guided in his work and development but guided toward freedom and the right to vote. Such complete freedom and the bestowal of suffrage must be a matter of some years, but at present we do not propose to take advantage of this and retain political power based on the non-voting parts of our population. We, therefore, accept the constitutional amendment against slavery; we accept any other amendment which will base representation on voting, or other proposals which will equalize the voting power of North and South. We admit the right of the government to exercise a judicious guardianship over the slaves so long as we have reasonable voice in this guardianship, and that the interests of the employer as well as

the employee shall be kept in mind. And in anticipation of this development, we propose to pass a reasonable code of laws recognizing the new status of the Negro."

If there had been in the white South at this time far-seeing leadership or even some common sense, the subsequent history of Reconstruction and of the Negro in the United States would have been profoundly changed. Suppose a single state like Louisiana had allowed the Negro to vote, with a high property qualification, or the ability to read and write, or service in the army, or all these? Charles Sumner and Thaddeus Stevens would not have been wholly satisfied, but certainly their demands would have been greatly modified. Both of them were perfectly willing to wait for Negro suffrage until the Negro had education and had begun his economic advance. But they did insist that he must have the chance to advance.

There cannot be the slightest doubt that such a program would have gathered enough support in the North to have made the history of Reconstruction not easy and without difficulty, but far less difficult than it proved to be. There were in the South in 1865 men who saw this truth plainly and said so. But true effective leadership was denied them; just as before the war public opinion in the South was hammered into idolatrous worship of slavery, so after the war, even more bitterly and cruelly, public opinion demanded a new unyielding conformity.

Here was a land of poignant beauty, streaked with hate and blood and shame, where God was worshiped wildly, where human beings were bought and sold, and where even in the twentieth century men are burned alive. The situation here in 1865 was fatal, and fatal because of the attitude of men's minds rather than because of material loss and disorganization. The human mind, its will and emotions, congealed to one set pattern, until here were people who knew they knew one thing above all others, just as certainly as they knew that the sun rose and set; and that was, that a Negro would not work without compulsion, and that slavery was his natural condition. If by force and law the Negro was free, his only chance to remain free was transportation immediately to Africa or some outlying district of the world, where he would soon die of starvation or disease. Such colonization was impracticable, and Southern slavery, as it existed before the war, was the best possible system for the Negro; and this the vast majority of Southerners were forced to believe as firmly in 1865 as they did in 1860.

The whole proof of what the South proposed to do to the emancipated Negro, unless restrained by the nation, was shown in the Black Codes passed after Johnson's accession, but representing the logical result of attitudes of mind existing when Lincoln still lived. Some of

these were passed and enforced. Some were passed and afterward repealed or modified when the reaction of the North was realized. In other cases, as for instance, in Louisiana, it is not clear just which laws were retained and which were repealed. In Alabama, the Governor induced the legislature not to enact some parts of the proposed code which they overwhelmingly favored.

The original codes favored by the Southern legislatures were an astonishing affront to emancipation and dealt with vagrancy, apprenticeship, labor contracts, migration, civil and legal rights. In all cases, there was plain and indisputable attempt on the part of the Southern states to make Negroes slaves in everything but name. They were given certain civil rights: the right to hold property, to sue and be sued. The family relations for the first time were legally recognized. Negroes were no longer real estate.

Yet, in the face of this, the Black Codes were deliberately designed to take advantage of every misfortune of the Negro. Negroes were liable to a slave trade under the guise of vagrancy and apprenticeship laws; to make the best labor contracts, Negroes must leave the old plantations and seek better terms; but if caught wandering in search of work, and thus unemployed and without a home, this was vagrancy, and the victim could be whipped and sold into slavery. In the turmoil of war, children were separated from parents, or parents unable to support them properly. These children could be sold into slavery, and "the former owner of said minors shall have the preference." Negroes could come into court as witnesses only in cases in which Negroes were involved. And even then, they must make their appeal to a jury and judge who would believe the word of any white man in preference to that of any Negro on pain of losing office and caste.

The Negro's access to the land was hindered and limited; his right to work was curtailed; his right of self-defense was taken away, when his right to bear arms was stopped; and his employment was virtually reduced to contract labor with penal servitude as a punishment for leaving his job. And in all cases, the judges of the Negro's guilt or innocence, rights and obligations were men who believed firmly, for the most part, that he had "no rights which a white man was bound to respect."

Making every allowance for the excitement and turmoil of war, and the mentality of a defeated people, the Black Codes were infamous pieces of legislation.

Let us examine these codes in detail.[36] They covered, naturally, a wide range of subjects. First, there was the question of allowing Negroes to come into the state. In South Carolina the constitution of 1865 permitted the Legislature to regulate immigration, and the con-

sequent law declared "that no person of color shall migrate into and reside in this State, unless, within twenty days after his arrival within the same, he shall enter into a bond, with two freeholders as sureties . . . in a penalty of one thousand dollars, conditioned for his good behavior, and for his support."

Especially in the matter of work was the Negro narrowly restricted. In South Carolina, he must be especially licensed if he was to follow on his own account any employment, except that of farmer or servant. Those licensed must not only prove their fitness, but pay an annual tax ranging from $10-$100. Under no circumstances could they manufacture or sell liquor. Licenses for work were to be granted by a judge and were revokable on complaint. The penalty was a fine double the amount of the license, one-half of which went to the informer.

Mississippi provided that "every freedman, free Negro, and mulatto shall on the second Monday of January, one thousand eight hundred and sixty-six, and annually thereafter, have a lawful home or employment, and shall have written evidence thereof . . . from the Mayor . . . or from a member of the board of police . . . which licenses may be revoked for cause at any time by the authority granting the same."

Detailed regulation of labor was provided for in nearly all these states.

Louisiana passed an elaborate law in 1865, to "regulate labor contracts for agricultural pursuits." Later, it was denied that this legislation was actually enacted; but the law was published at the time and the constitutional convention of 1868 certainly regarded this statute as law, for they formally repealed it. The law required all agricultural laborers to make labor contracts for the next year within the first ten days of January, the contracts to be in writing, to be with heads of families, to embrace the labor of all the members, and to be "binding on all minors thereof." Each laborer, after choosing his employer, "shall not be allowed to leave his place of employment until the fulfillment of his contract, unless by consent of his 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. . . .

"In case of sickness of the laborer, wages for the time lost shall be deducted, and where the sickness is feigned for purposes of idleness, . . . and also should refusal to work be continued beyond three days, the offender shall be reported to a justice of the peace, and shall be forced to labor on roads, levees, and other public works, without pay, until the offender consents to return to his labor. . . .

"When in health, the laborer shall work ten hours during the day

in summer, and nine hours during the day in winter, unless otherwise stipulated in the labor contract; he shall obey all proper orders of his employer or his agent; take proper care of his work mules, horses, oxen, stock; also of all agricultural implements; and employers shall have the right to make a reasonable deduction from the laborer's wages for injuries done to animals or agricultural implements committed to his care, or for bad or negligent work. Bad work shall not be allowed. Failing to obey reasonable orders, neglect of duty and leaving home without permission, will be deemed disobedience. . . . For any disobedience a fine of one dollar shall be imposed on the offender. For all lost time from work hours, unless in case of sickness, the laborer shall be fined twenty-five cents per hour. For all absence from home without leave, the laborer will be fined at the rate of two dollars per day. Laborers will not be required to labor on the Sabbath except to take the necessary care of stock and other property on plantations and do the necessary cooking and household duties, unless by special contract. For all thefts of the laborers 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 live stock shall be allowed to laborers without the permission of the employer. Laborers shall not receive visitors during work hours. All difficulties arising between the employers and laborers, under this section, shall be settled, and all fines be imposed, by the former; if not satisfactory to the laborers, an appeal may be had to the nearest justice of the peace and two freeholders, citizens, one of said citizens to be selected by the employer and the other by the laborer; and all fines imposed and collected under this section shall be deducted from the wages due, and shall be placed in a common fund, to be divided among the other laborers employed on the plantation at the time when their full wages fall due, except as provided for above."

Similar detailed regulations of work were in the South Carolina law. Elaborate provision was made for contracting colored "servants" to white "masters." Their masters were given the right to whip "moderately" servants under eighteen. Others were to be whipped on authority of judicial officers. These officers were given authority to return runaway servants to their masters. The servants, on the other hand, were given certain rights. Their wages and period of service must be specified in writing, and they were protected against "unreasonable" tasks, Sunday and night work, unauthorized attacks on their persons, and inadequate food.

Contracting Negroes were to be known as "servants" and contractors as "masters." Wages were to be fixed by the judge, unless stipulated. Negroes of ten years of age or more without a parent living in the district might make a valid contract for a year or less. Failure to make written contracts was a misdemeanor, punishable by a fine of $5 to $50; farm labor to be from sunrise to sunset, with intervals for meals; servants to rise at dawn, to be careful of master's property and answerable for property lost or injured. Lost time was to be deducted from wages. Food and clothes might be deducted. Servants were to be quiet and orderly and to go to bed at reasonable hours. No night work or outdoor work in bad weather was to be asked, except in cases of necessity, visitors not allowed without the master's consent. Servants leaving employment without good reason must forfeit wages. Masters might discharge servants for disobedience, drunkenness, disease, absence, etc. Enticing away the services of a servant was punishable by a fine of $20 to $100. A master could command a servant to aid him in defense of his own person, family or property. House servants at all hours of the day and night, and at all days of the week, "must answer promptly all calls and execute all lawful orders."

The right to sell farm products "without written evidence from employer" was forbidden in South Carolina, and some other states. "A person of color who is in the employment of a master, engaged in husbandry, shall not have the right to sell any corn, rice, peas, wheat, or other grain, any flour, cotton, fodder, hay, bacon, fresh meat of any kind, poultry of any kind, animals of any kind, or any other product of a farm, without having written evidence from such master, or some person authorized by him, or from the district judge or a magistrate, that he has the right to sell such product."

There were elaborate laws covering the matter of contracts for work. A contract must be in writing and usually, as in South Carolina, white witnesses must attest it and a judge approve it. In Florida, contracts were to be in writing and failure to keep the contracts by disobedience or impudence was to be treated as vagrancy. In Kentucky, contracts were to be in writing and attested by a white person. In Mississippi, contracts were to be in writing attested by a white person, and if the laborer stopped work, his wages were to be forfeited for a year. He could be arrested, and the fee for his arrest must be paid by the employer and taken out of his wages.

There were careful provisions to protect the contracting employer from losing his labor. In Alabama, "When any laborer or servant, having contracted as provided in the first section of this act, shall afterward be found, before the termination of said contract, in the service or employment of another, that fact shall be *prima facie* evidence that

such person is guilty of violation of this act, if he fail and refuse to forthwith discharge the said laborer or servant, after being notified and informed of such former contract and employment."

Mississippi provided "that every civil officer shall, and every person may, arrest and carry back to his or her legal employer any freedman, free Negro, or mulatto who shall have quit the service of his or her employer before the expiration of his or her term of service without good cause; and said officer and person shall be entitled to receive for arresting and carrying back every deserting employee aforesaid the sum of five dollars, and ten cents per mile from the place of arrest to the place of delivery, and the same shall be paid by the employer and held as a set-off for so much against the wages of said deserting employee."

It was provided in some states, like South Carolina, that any white man, whether an officer or not, could arrest a Negro. "Upon view of a misdemeanor committed by a person of color, any person present may arrest the offender and take him before a magistrate, to be dealt with as the case may require. In case of a misdemeanor committed by a white person toward a person of color, any person may complain to a magistrate, who shall cause the offender to be arrested, and, according to the nature of the case, to be brought before himself, or be taken for trial in the district court."

On the other hand, in Mississippi, it was dangerous for a Negro to try to bring a white person to court on any charge. "In every case where any white person has been arrested and brought to trial, by virtue of the provisions of the tenth section of the above recited act, in any court in this State, upon sufficient proof being made to the court or jury, upon the trial before said court, that any freedman, free Negro or mulatto has falsely and maliciously caused the arrest and trial of said white person or persons, the court shall render up a judgment against said freedman, free Negro or mulatto for all costs of the case, and impose a fine not to exceed fifty dollars, and imprisonment in the county jail not to exceed twenty days; and for a failure of said freedman, free Negro or mulatto to pay, or cause to be paid, all costs, fines and jail fees, the sheriff of the county is hereby authorized and required, after giving ten days' public notice, to proceed to hire out at public outcry, at the court-house of the county, said freedman, free Negro or mulatto, for the shortest time to raise the amount necessary to discharge said freedman, free Negro or mulatto from all costs, fines, and jail fees aforesaid."

Mississippi declared that: "Any freedman, free Negro, or mulatto, committing riots, routs, affrays, trespasses, malicious mischief and cruel treatment to animals, seditious speeches, insulting gestures, lan-

guage or acts, or assaults on any person, disturbance of the peace, exercising the functions of a minister of the gospel without a license from some regularly organized church, vending spirituous or intoxicating liquors, or committing any other misdemeanor, the punishment of which is not specifically provided for by law, shall, upon conviction thereof, in the county court, be fined not less than ten dollars, and not more than one hundred dollars, and may be imprisoned, at the discretion of the court, not exceeding thirty days."

As to other civil rights, the marriage of Negroes was for the first time recognized in the Southern states and slave marriages legalized. South Carolina said in general: "That the statutes and regulations concerning slaves are now inapplicable to persons of color; and although such persons are not entitled to social or political equality with white persons, they shall have the right to acquire, own, and dispose of property, to make contracts, to enjoy the fruits of their labor, to sue and be sued, and to receive protection under the law in their persons and property."

Florida forbade "colored and white persons respectively from intruding upon each other's public assemblies, religious or other, or public vehicle set apart for their exclusive use, under punishment of pillory or stripes, or both."

Very generally Negroes were prohibited or limited in their ownership of firearms. In Florida, for instance, it was "unlawful for any Negro, mulatto, or person of color to own, use, or keep in possession or under control any bowie-knife, dirk, sword, firearms, or ammunition of any kind, unless by license of the county judge of probate, under a penalty of forfeiting them to the informer, and of standing in the pillory one hour, or be whipped not exceeding thirty-nine stripes, or both, at the discretion of the jury."

Alabama had a similar law making it illegal to sell, give or rent firearms or ammunition of any description "to any freedman, free Negro or mulatto."

Mississippi refused arms to Negroes. "No freedman, free Negro, or mulatto, not in the military service of the United States Government, and not licensed to do so by the board of police of his or her county, shall keep or carry firearms of any kind, or any ammunition, dirk, or bowie-knife; and on conviction thereof, in the county court, shall be punished by fine, not exceeding ten dollars, and pay the costs of such proceedings, and all such arms or ammunition shall be forfeited to the informer."

A South Carolina Negro could only keep firearms on permission in writing from the District Judge. "Persons of color constitute no part of the militia of the State, and no one of them shall, without permis-

sion in writing from the district judge or magistrate, be allowed to keep a firearm, sword, or other military weapon, except that one of them, who is the owner of a farm, may keep a shot-gun or rifle, such as is ordinarily used in hunting, but not a pistol, musket, or other firearm or weapon appropriate for purposes of war . . . and in case of conviction, shall be punished by a fine equal to twice the value of the weapon so unlawfully kept, and if that be not immediately paid, by corporal punishment."

The right of buying and selling property was usually granted but sometimes limited as to land. Mississippi declared: "That all freedmen, free Negroes and mulattoes may sue and be sued, implead and be impleaded in all the courts of law and equity of this State, and may acquire personal property and choses in action by descent or purchase, and may dispose of the same in the same manner and to the same extent that white persons may: *Provided,* that the provisions of this section shall not be so construed as to allow any freedman, free Negro or mulatto to rent or lease any lands or tenements, except in incorporated towns or cities, in which places the corporate authorities shall control the same."

The most important and oppressive laws were those with regard to vagrancy and apprenticeship. Sometimes they especially applied to Negroes; in other cases, they were drawn in general terms but evidently designed to fit the Negro's condition and to be enforced particularly with regard to Negroes.

The Virginia Vagrant Act enacted that "any justice of the peace, upon the complaint of any one of certain officers therein named, may issue his warrant for the apprehension of any person alleged to be a vagrant and cause such person to be apprehended and brought before him; and that if upon due examination said justice of the peace shall find that such person is a vagrant within the definition of vagrancy contained in said statute, he shall issue his warrant, directing such person to be employed for a term not exceeding three months, and by any constable of the county wherein the proceedings are had, be hired out for the best wages which can be procured, his wages to be applied to the support of himself and his family. The said statute further provides, that in case any vagrant so hired shall, during his term of service, run away from his employer without sufficient cause, he shall be apprehended on the warrant of a justice of the peace and returned to the custody of his employer, who shall then have, free from any other hire, the services of such vagrant for one month in addition to the original term of hiring, and that the employer shall then have power, if authorized by a justice of the peace, to work such vagrant with ball and chain. The said statute specified the persons who shall be con-

sidered vagrants and liable to the penalties imposed by it. Among those declared to be vagrants are all persons who, not having the wherewith to support their families, live idly and without employment, and refuse to work for the usual and common wages given to other laborers in the like work in the place where they are."

In Florida, January 12, 1866: "It is provided that when any person of color shall enter into a contract as aforesaid, to serve as a laborer for a year, or any other specified term, on any farm or plantation in this State, if he shall refuse or neglect to perform the stipulations of his contract by willful disobedience of orders, wanton impudence or disrespect to his employer, or his authorized agent, failure or refusal to perform the work assigned to him, idleness, or abandonment of the premises or the employment of the party with whom the contract was made, he or she shall be liable, upon the complaint of his employer or his agent, made under oath before any justice of the peace of the county, to be arrested and tried before the criminal court of the county, and upon conviction shall be subject to all the pains and penalties prescribed for the punishment of vagrancy."

In Georgia, it was ruled that "All persons wandering or strolling about in idleness, who are able to work, and who have no property to support them; all persons leading an idle, immoral, or profligate life, who have no property to support them and are able to work and do not work; all persons able to work having no visible and known means of a fair, honest, and respectable livelihood; all persons having a fixed abode, who have no visible property to support them, and who live by stealing or by trading in, bartering for, or buying stolen property; and all professional gamblers living in idleness, shall be deemed and considered vagrants, and shall be indicted as such, and it shall be lawful for any person to arrest said vagrants and have them bound over for trial to the next term of the county court, and upon conviction, they shall be fined and imprisoned or sentenced to work on the public works, for not longer than a year, or shall, in the discretion of the court, be bound over for trial to the next term of the county court, and upon conviction, they shall be fined and imprisoned or sentenced to work on the public works, for not longer than a year, or shall, in the discretion of the court, be bound out to some person for a time not longer than one year, upon such valuable consideration as the court may prescribe."

Mississippi provided "That all freedmen, free Negroes, and mulattoes in this state over the age of eighteen years, found on the second Monday in January, 1866, or thereafter, with no lawful employment or business, or found unlawfully assembling themselves together, either in the day or night time, and all white persons so assembling with

freedmen, free Negroes or mulattoes, or usually associating with freedmen, free Negroes or mulattoes on terms of equality, or living in adultery or fornication with a freedwoman, free Negro or mulatto, shall be deemed vagrants, and on conviction thereof shall be fined in the sum of not exceeding, in the case of a freedman, free Negro or mulatto, fifty dollars, and a white man two hundred dollars and imprisoned, at the discretion of the court, the free Negro not exceeding ten days, and the white men not exceeding six months."

Sec. 5 provides that "all fines and forfeitures collected under the provisions of this act shall be paid into the county treasury for general county purposes, and in case any freedman, free Negro or mulatto, shall fail for five days after the imposition of any fine or forfeiture upon him or her, for violation of any of the provisions of this act to pay the same, that it shall be, and is hereby made, the duty of the Sheriff of the proper county to hire out said freedman, free Negro or mulatto, to any person who will, for the shortest period of service, pay said fine or forfeiture and all costs; *Provided,* a preference shall be given to the employer, if there be one, in which case the employer shall be entitled to deduct and retain the amount so paid from the wages of such freedman, free Negro or mulatto, then due or to become due; and in case such freedman, free Negro or mulatto cannot be hired out, he or she may be dealt with as a pauper."

South Carolina declared to be vagrants all persons without fixed and known places of abode and lawful employment, all prostitutes and all persons wandering from place to place and selling without a license; all gamblers; idle and disobedient persons; persons without sufficient means of support; persons giving plays or entertainments without license; fortune-tellers, beggars, drunkards and hunters. If a person of color is unable to earn his support, his near relatives must contribute. Pauper funds were composed of fines paid by Negroes and taxes on Negroes. On the other hand, former slaves who were helpless and had been on plantations six months previous to November 10, 1865, could not be evicted before January 1, 1867.

In Alabama, the "former owner" was to have preference in the apprenticing of a child. This was true in Kentucky and Mississippi.

Mississippi "provides that it shall be the duty of all sheriffs, justices of the peace, and other civil officers of the several counties in this state to report to the probate courts of their respective counties semi-annually, at the January and July terms of said courts, all freedmen, free Negroes and mulattoes, under the age of eighteen, within their respective counties, beats, or districts, who are orphans, or whose parent or parents have not the means, or who refuse to provide for and support said minors, and thereupon it shall be the duty of said

probate court to order the clerk of said court to apprentice said minors to some competent and suitable person, on such terms as the court may direct, having a particular care to the interest of said minors; *Provided,* that the former owner of said minors shall have the preference when, in the opinion of the court, he or she shall be a suitable person for that purpose."

South Carolina established special courts for colored people, to be created in each district to administer the law in respect to persons of color. The petit juries of these courts were to consist of only six men. The local magistrate "shall be specially charged with the supervision of persons of color in his neighborhood, their protection, and the prevention of their misconduct." Public order was to be secured by the organization of forty-five or more militia regiments.

"Capital punishment was provided for colored persons guilty of willful homicide, assault upon a white woman, impersonating her husband for carnal purposes, raising an insurrection, stealing a horse, a mule, or baled cotton, and house-breaking. For crimes not demanding death Negroes might be confined at hard labor, whipped, or transported; 'but punishments more degrading than imprisonment shall not be imposed upon a white person for a crime not infamous.'" [37]

In most states Negroes were allowed to testify in courts but the testimony was usually confined to cases where colored persons were involved, although in some states, by consent of the parties, they could testify in cases where only white people were involved. In Alabama "all freedmen, free Negroes and mulattoes, shall have the right to sue and be sued, plead and be impleaded in all the different and various courts of this State, to the same extent that white persons now have by law. And they shall be competent to testify only in open court, and only in cases in which freedmen, free Negroes, and mulattoes are parties, either plaintiff or defendant, and in civil or criminal cases, for injuries in the persons and property of freedmen, free Negroes and mulattoes, and in all cases, civil or criminal, in which a freedman, free Negro, or mulatto, is a witness against a white person, or a white person against a freedman, free Negro or mulatto, the parties shall be competent witnesses."

North Carolina, March 10, 1866, "gives them all the privileges of white persons before the courts in the mode of prosecuting, defending, continuing, removing, and transferring their suits at law in equity," and makes them eligible as witnesses, when not otherwise incompetent, in "all controversies at law and in equity where the rights of persons or property of persons of color shall be put in issue, and would be concluded by the judgment or decree of courts; and also in pleas of the State, where the violence, fraud, or injury alleged shall be charged

to have been done by or to persons of color. In all other civil and criminal cases such evidence shall be deemed inadmissible, unless by consent of the parties of record."

Mississippi simply reënacted her slave code and made it operative so far as punishments were concerned. "That all the penal and criminal laws now in force in this State, defining offenses, and prescribing the mode of punishment for crimes and misdemeanors committed by slaves, free Negroes or mulattoes, be and the same are hereby reenacted, and declared to be in full force and effect, against freedmen, free Negroes, and mulattoes, except so far as the mode and manner of trial and punishment have been changed or altered by law."

North Carolina, on the other hand, abolished her slave code, making difference of punishment only in the case of Negroes convicted of rape. Georgia placed the fines and costs of a servant upon the master. "Where such cases shall go against the servant, the judgment for costs upon written notice to the master shall operate as a garnishment against him, and he shall retain a sufficient amount for the payment thereof, out of any wages due to said servant, or to become due during the period of service, and may be cited at any time by the collecting officer to make answer thereto."

The celebrated ordinance of Opelousas, Louisiana, shows the local ordinances regulating Negroes. "No Negro or freedman shall be allowed to come within the limits of the town of Opelousas without special permission from his employer, specifying the object of his visit and the time necessary for the accomplishment of the same.

"Every Negro freedman who shall be found on the streets of Opelousas after ten o'clock at night without a written pass or permit from his employer, shall be imprisoned and compelled to work five days on the public streets, or pay a fine of five dollars.

"No Negro or freedman shall be permitted to rent or keep a house within the limits of the town under any circumstances, and anyone thus offending shall be ejected, and compelled to find an employer or leave the town within twenty-four hours.

"No Negro or freedman shall reside within the limits of the town of Opelousas who is not in the regular service of some white person or former owner, who shall be held responsible for the conduct of said freedman.

"No Negro or freedman shall be permitted to preach, exhort, or otherwise declaim to congregations of colored people without a special permission from the Mayor or President of the Board of Police, under the penalty of a fine of ten dollars or twenty days' work on the public streets.

"No freedman who is not in the military service shall be allowed to

carry firearms, or any kind of weapons within the limits of the town of Opelousas without the special permission of his employer, in writing, and approved by the Mayor or President of the Board.

"Any freedman not residing in Opelousas, who shall be found within its corporate limits after the hour of 3 o'clock, on Sunday, without a special permission from his employer or the Mayor, shall be arrested and imprisoned and made to work two days on the public streets, or pay two dollars in lieu of said work." [38]

Of Louisiana, Thomas Conway testified February 22, 1866: "Some of the leading officers of the state down there—men who do much to form and control the opinions of the masses—instead of doing as they promised, and quietly submitting to the authority of the government, engaged in issuing slave codes and in promulgating them to their subordinates, ordering them to carry them into execution, and this to the knowledge of state officials of a higher character, the governor and others. And the men who issued them were not punished except as the military authorities punished them. The governor inflicted no punishment on them while I was there, and I don't know that, up to this day, he has ever punished one of them. These codes were simply the old black code of the state, with the word 'slave' expunged, and 'Negro' substituted. The most odious features of slavery were preserved in them. They were issued in three or four localities in the state, not a hundred miles from New Orleans, months after the surrender of the Confederate forces, and years after the issuance of the Emancipation Proclamation.

"I have had delegations to frequently come and see me—delegations composed of men who, to my face, denied that the proclamation issued by President Lincoln was a valid instrument, declaring that the Supreme Court would pronounce it invalid. Consequently they have claimed that their Negroes were slaves and would again be restored to them. In the city of New Orleans last summer, under the orders of the acting mayor of the city, Hugh Kennedy, the police of that city conducted themselves towards the freedmen, in respect to violence and ill usage, in every way equal to the old days of slavery; arresting them on the streets as vagrants, without any form of law whatever, and simply because they did not have in their pockets certificates of employment from their former owners or other white citizens.

"I have gone to the jails and released large numbers of them, men who were industrious and who had regular employment; yet because they had not the certificates of white men in their pockets they were locked up in jail to be sent out to plantations; locked up, too, without my knowledge, and done speedily and secretly before I had information of it. Some members of the Seventy-Fourth United States Colored

Infantry, a regiment which was mustered out but one day, were arrested the next because they did not have these certificates of employment. This was done to these men after having served in the United States army three years. They were arrested by the police under the order of the acting mayor, Mr. Hugh Kennedy. . . ." [39]

The aim and object of these laws cannot be mistaken. "In many cases the restraints imposed went to the length of a veritable 'involuntary servitude.' " [40]

Professor Burgess says: "Almost every act, word or gesture of the Negro, not consonant with good taste and good manners as well as good morals, was made a crime or misdemeanor, for which he could first be fined by the magistrates and then consigned to a condition of almost slavery for an indefinite time, if he could not pay the bill." [41]

Dunning admits that "The legislation of the reorganized governments, under cover of police regulations and vagrancy laws, had enacted severe discriminations against the freedmen in all the common civil rights." [42]

A recent study says of South Carolina:

"The interests of both races would have been better served had there never been a 'black code.' This would be true even if there had been no Northern sentiment to take into account. Economically, the laws were impracticable, since they tried to place the Negro in a position inferior to that which competition or his labor would have given him." [43]

"But it is monotonous iteration to review the early legislation of the reconstructed governments established under the proclamation of the President. In most of the states the laws established a condition but little better than that of slavery, and in one important respect far worse; for in place of the property interest, which would induce the owner to preserve and care for his slave, there was substituted the guardianship of penal statutes; and the ignorant black man, innocent of any intention to commit a wrong, could be bandied about from one temporary owner to another who would have no other interest than to wring out of him, without regard to his ultimate condition, all that was possible during the limited term of his thraldom." [44]

These slave laws have been defended in various ways. They were passed in the midst of bitterness and fear and with great haste; they were worded somewhat like similar vagrancy laws in Northern States; they would have been modified in time; they said more than they really meant. All of this may be partly true, but it remains perfectly evident that the black codes looked backward toward slavery.

This legislation profoundly stirred the North. Not the North of industry and the new manufactures, but the ordinary everyday people