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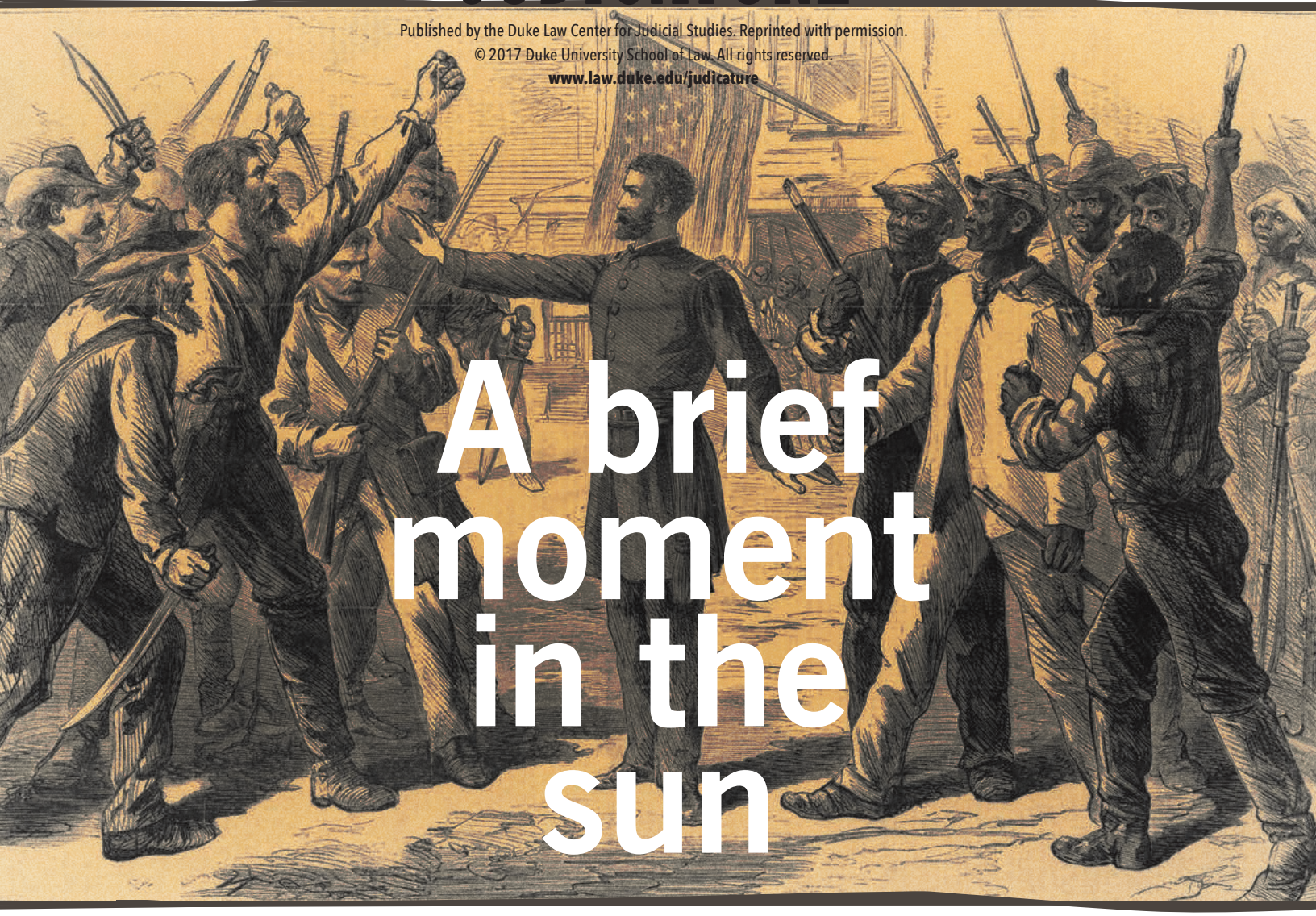

A brief moment in the sun

The Reconstruction-Era Courts of the Freedmen's Bureau

BY ZACHARY NEWKIRK

When he was 16 years old during the summer of 1866, a recently freed slave named Alfred Jefferson rode his employer's horse without permission. A local criminal judge in Bradford County, Florida, fined the young man two hundred dollars plus court costs — approximately three thousand dollars in 2017. Unable to pay, Jefferson "was sold at public outcry" to a white planter, Allen Thomas, who assumed the fine in exchange for Jefferson's labor. The teenager was to work for three years.[1]

ABOVE: A FREEDMEN'S BUREAU AGENT STANDS BETWEEN ARMED GROUPS OF WHITES AND FREEDMEN IN THIS 1868 SKETCH FROM *HARPER'S WEEKLY*, JULY 25, 1868. (ALFRED R. WAUD, 1828-91, ARTIST.)

Even though Jefferson was technically free, Thomas regularly whipped the teenager. On Oct. 11, 1866, Thomas, his son, and a third white man surrounded Jefferson "in a lot belonging to Allen Thomas and tied his hands and feet, fastening his hands to an oak tree . . . and then whipped him" with a handsaw. The three men struck Jefferson more than 50 times, "thereby lacerating his skin and flesh." Appealing to an agent of the Freedmen's Bureau, Jefferson claimed "he knows of no reason why he should have been whipped in such a brutal manner."[2]

If this episode had occurred two years before, the teenager Alfred would have had no recourse. As a slave, he would have been subject entirely to his master's punishment. In 1866, however, Jefferson was able to appeal to the federal government in the form of the Freedmen's Bureau. Even more, the Bureau agent that Jefferson met, Captain Frederick Grossman, was authorized to form a type of federal court to see that Jefferson could achieve justice — a Freedmen's Bureau Court. Writing to his superiors, Grossman was adamant that he shepherd Jefferson's case through the Bureau's alternative legal system. "To bring this case before the civil courts on a charge of Assault and Battery would in all probability result in an acquittal of Mr. Allen and the parties who assisted," he wrote.[3]

Captain Grossman was one of countless men who served as a kind of federal judge presiding over ad hoc Freedmen's Bureau courts. These courts existed as federal tribunals that temporarily existed after the Civil War to help freedpeople achieve justice. Technically under the aegis of the War Department, these Bureau courts settled civilian complaints, almost exclusively involving freedpeople facing extreme discrimination at the hands of Southern white people. After all, the abolition of slavery did not eradicate racial prejudice. Animus on the basis of race toward the now-free black people after the Civil War became especially apparent in legal proceedings in local and state courts across the South.

In order to combat overt and state-sanctioned forms of discrimination, the federal government stepped in by rapidly expanding the judiciary through the Freedmen's Bureau courts.

In the immediate post-Civil War South, violence and discrimination against black people was the norm. Among the more infamous institutional mechanisms for discrimination were the so-called Black Codes, discriminatory laws that Southern states passed in 1865 and 1866 to curtail the rights and freedoms of the newly emancipated slaves. These laws varied across the states but they, among other things, included provisions that prevented black people from renting land in specific areas such as cities, punished "vagrancy" — a nebulous term that encompassed everything from idleness and disorderliness to "misspend[ing] what they earn" — limited freedpeoples' occupations to farmer and laborer, forced freedpeople into signing unfair labor contracts, and required black children into forced apprenticeships, which were essentially "an excuse for providing planters with the unpaid labor of black minors."[4]

In order to combat overt and state-sanctioned forms of discrimination, the federal government stepped in by rapidly expanding the judiciary through the Freedmen's Bureau courts. These ostensibly temporary institutions represented a dramatic growth of federal judicial power — perhaps reaching the broadest jurisdiction that federal courts have had in American history — and appear to have gone unchallenged with respect to their constitutionality. These federal tribunals reached deep into legal areas that had long resided within the sphere of state and local courts and aimed to advance equal justice in disputes over property, contracts, wages, labor conditions, family matters, and crimes inflicted on the formerly enslaved men and women throughout the South.

BUREAU COURTS' ORIGINS

The federal government's efforts to place freedpeople on the same legal level of white people began long before the Civil War ended. Union armies marching through the insurrectionary states generated not just battles and military casualties but also an exodus of black people from slavery's shackles. Escaped slaves flocked to the Union lines, buoyed early in the war by the pros-

pect of freedom and later encouraged by increasingly more liberal federal policy, culminating in the Emancipation Proclamation.[5] The resulting influx of refugees necessitated aid and organization. The U.S. Army, for example, organized large-scale efforts to assist the freedmen.[6] But the need for government involvement in helping the freed slaves was even more clear during the latter stages of the war.[7]

Nonmilitary federal assistance officially arrived on March 3, 1865, when President Abraham Lincoln signed "An Act to establish a Bureau for the Relief of Freedmen and Refugees."[8] Rep. Thomas Eliot, a Massachusetts Republican, originally introduced legislation in January 1863 to establish a "Bureau of Emancipation." He reintroduced the measure in December 1863; though it passed the House of Representatives, the bill stalled in the Senate as senators debated whether the Bureau ought to fall under the War or Treasury Department.[9] Ultimately, it organized under the War Department; Congress had "called for the nation's most advanced experiment in social welfare but had grafted it onto the most conservative of American institutions," one historian summarized.[10] During the 38th Congress's second session, both the House and Senate passed the "long squabbled over" Act on March 3 without division, overcoming "unusual expedients" and "dilatory motions."[11] The United States government thereby committed itself to assisting freed slaves — it had, in the words of Bureau chronicler George Bentley, "terminated the old status of the Negroes in society; so it owed them a new and it was to be hoped a better status."[12]

The March 1865 Act creating the Bureau was short and vague. Among its clearer provisions was the explicit stipulation that the Bureau would last for one year after the war's end, that a commissioner would be appointed by the President and confirmed by the Senate, that the commissioner would have a staff of clerks and no more than ten assistant commissioners, and that the Bureau would direct provisions, food, and shelter to freedpeople and refugees.

Less clear, however, was the statute's authorization to take "control of all subjects relating to refugees and freedmen from rebel states."[13] The commissioner of the Freedmen's Bureau, 34-year-old General Oliver O. Howard, took this command to heart. To him, the Bureau inspired "vast work undertaken and accomplished in the interest of humanity."[14] The result, then, was an enormous range of responsibilities. Bureau agents wore the many hats of "diplomat, marriage counselor, educator, supervisor of labor contracts, sheriff, judge, and jury," according to leading Reconstruction historian Eric Foner.[15] Howard accepted his appointment to head the Bureau on May 12, 1865. The following weeks were a flurry of activity as he appointed his staff, settled into Bureau headquarters (formerly the home of a senator-turned-Confederate), digested reports on the status of the freedmen across the South, and sent out orders for the new agency.[16]

One of the earliest and most contentious conflicts the new Bureau faced was its relationship with new state governments then forming in some Southern states. Unsurprisingly, conflicting notions of law and justice for black people became a point of conflict. The hopes that Southern state institutions would give freedpeople access to the courts, the right to testify, and equal punishment for similar crimes ran against centuries of practice.[17] Despite clear opposition, the Bureau began the erosion of these customs to grant the freedpeople legal rights. In his autobiography, Howard said he took pride when the Bureau "took the lead" in "obtaining recognition of the negro as a man instead of a chattel before the civil and criminal courts." Bringing freedpeople "under the title of justice was the first active endeavor to put the colored man or woman on a permanent basis on a higher plane."[18]

THE AMBIGUITIES AND SCOPE OF THE BUREAU COURTS

General Howard credited the Bureau courts' creation to a visit with a group of concerned Virginia planters. Many planters, he remembered, were "quite in despair [about] how to make or execute contracts with ex-slaves." In response, Howard recommended creating a court limited to minor cases involving less than $200 and staffed with a three-member tribunal: a Bureau agent, a representative of the planters, and a representative of the freedmen. Howard predicted that the freedmen's representative would overwhelmingly be "an intelligent white man who has always been their friend." The planters were apparently "pleased" with the concept and the idea proceeded into practice.[19]

Despite the original statute's bare provisions, General Howard issued a sweeping circular to his assistant commissioners on May 30, 1865. The order allowed the Bureau to assume judicial control from the states in certain broad circumstances. These situations included "places where there is an interruption of civil laws, or in which local courts, by reason of old codes . . . disregard the negro's right to justice before the law . . . in not allowing him to give testimony." Where the state courts were committed to antebellum-style justice, Howard permitted assistant commis- ▸

sioners or their subordinate officers to adjudicate "all difficulties" involving black people.[20] Thus, the Bureau courts were born.

To the actors on the ground — the professionally trained lawyers, judges, and lawmakers of varying ideologies — it was not clear in 1865 or 1866 where and when the new extension of the federal judiciary would end.[21] To Southern whites and black freedpeople in 1866, the federal government's role in their futures seemed on the rise. Although federal legislation creating the Bureau and its courts gave it a temporary existence — they were to expire in 1868 according to the statute passed in July 1866 — and the number of Union soldiers were steadily decreasing throughout the South, the persistence of federal power seemed very real. The end of Reconstruction, which began in the 1870s and was essentially over by 1877, was not yet an imminent possibility in 1866.

Far-reaching as it was, Howard's May 30th circular drew some lines that defined the Bureau's scope. If a state court permitted testimony from black people to enter into evidence, for example, a Bureau court would no longer be necessary. Allowing freedpeople to fully participate in court proceedings would restore state court jurisdiction and allow state courts an end-run around federal judicial interference. But even under the limiting contours of the May 30th circular, the Bureau courts popped up across the South in 1865 and into 1866 as Southern states failed to allow black people to testify in court.

From a constitutional perspective, the Bureau courts operated within a nebulous region between the Constitution's Article I, Article II, and Article III. Officially under the control of the executive War Department as authorized by Congress, the courts exercised broad Article III jurisdiction under a temporary expansion of what gave rise to a federal question. Broadly speaking, controversies that related to freedpeople — particularly unequal treatment between white people and freedpeople — became federal questions and were sent to the federal Bureau courts. Research yields no record of a challenge to the constitutionality of the Bureau courts.

Still, there was no shortage of critics for this unprecedented expansion of federal judicial power. President Andrew Johnson was perhaps the most prominent critic of the Bureau's expansive reach into the federal judiciary. In his veto of a measure to reauthorize the Bureau, Johnson expressed deep concern that the president would have ultimate authority to create the rules and regulations of the courts, since the Bureau's authorizing statute created the courts "without the intervention of a jury and without any fixed rules of law or evidence." The final power over "an almost countless number of agents established in every parish or county in nearly a third of the States of the Union," Johnson wrote, "ought never to be intrusted [sic] to any one man."[22] Ultimately, Congress overcame Johnson's veto and reauthorized the Bureau for two years, continuing the very broad jurisdiction of this particular form of federal judicial power.

The time between the summer of 1865 and the fall of 1866 saw many Bureau courts appear, disappear, and reemerge. As state courts reopened during the summer of 1865, many of them reverted to state laws prohibiting testimony from black people. Accordingly, the Bureau's assistant commissioners across the South established Bureau courts.[23] They were backed by the imprimatur of the federal government and the U.S. Army — still present in significant numbers in the Southern states, particularly in urban areas. As states began to allow black people to testify in their courts, the Bureau courts folded.

But admitting testimony was not the same as granting equal rights, and racial equality statutes "were frequently not translated from the law books into courtroom practice."[24] Congress's passage of the Civil Rights Act of 1866 — the first-ever civil rights act in the United States — failed to stem the tide of continued racial discrimination in the courts. The need for Bureau courts seemed to grow as Southern states gave freedpeople only "the mere, bare forms of due process."[25] So even though regular federal district courts theoretically provided civil remedies under the Civil Rights Act,[26] which expanded federal jurisdiction to the rights of freedpeople then enjoyed by white citizens notwithstanding "any law, statute, ordinance, regulation, or custom" at the state or local level,[27] the Bureau courts continued in force and remained the venue in which freedpeople preferred to take legal action.

In addition, the regular federal courts in the Southern states were often far from freedpeople, travel could be difficult and expensive, and freedpeople lacked consistent legal representation.[28] Southern federal courts also were hampered by wartime loyalty oaths that continued after the war. For example, in January 1865, Congress required attorneys to take a strict loyalty oath pledging allegiance to the United States before they could be admitted to the bars of the Supreme Court, circuit courts, district courts, and the important court of claims.[29] Because so many people would not make the pledge, the attorney oath requirement severely eroded administrative efficiency by

slowing down federal court operations through the South after the war.[30]

In July 1866, the Bureau courts were reauthorized in another federal statute passed over President Johnson's veto. The president had successfully vetoed a previous reauthorization bill, specifically citing the Bureau courts as a reason for the veto. The freedmen deserved legal protection, Johnson wrote, but through civil authorities in the states. Expanding the jurisdiction of the Bureau and the military was wrong-headed, he believed.[31]

Despite congressional authorization, the Bureau courts faced practical limitations in the form of a scarcity of financial resources, a lack of uniformity, and insufficient legal personnel.

The Bureau's reauthorization discounted Johnson's concerns and included sweeping judicial powers. It expanded jurisdiction to all cases in which there was racial discrimination and, among other provisions, where black people "are subjected to any other or different punishment, pains, or penalties, for the commission of any act or offence, than are prescribed for white persons committing like acts or offences."[32]

Despite congressional authorization, the Bureau courts faced practical limitations in the form of a scarcity of financial resources, a lack of uniformity, and insufficient legal personnel. Congress had imagined a "small, temporary, inexpensive agency," according to historian Donald Nieman, leading to a "tight-fisted" mentality over appropriations to support the Bureau.[33] As a result, many Bureau courts faced delays, poor litigants largely shouldered the court costs, and many could not access the courts because of the "sheer distance from the farms to the Bureau offices."[34]

On the whole, the Bureau courts lacked a uniform structure, procedure, or staffs of legal professionals. They "tended to be extremely informal and very irregular."[35] Some were run by three-member panels (as Howard initially conceptualized), a single Bureau agent, or a single "judge" appointed by the Bureau. These appointed "judges" could be military officers or local civilians familiar with the law.[36] But there was little to guide these Bureau courts; oftentimes agents-turned-judges "heard and decided cases according to their notions of equity and justice."[37] Most cases were limited to relatively minor civil disputes.[38] Many cases of violent crimes were referred to other judicial fora, such as a military, provost, or a state court deemed to be fair.[39]

The Bureau courts varied greatly by state and locality.[40] They were more like a patchwork of judicial entities, loosely bound by a vague federal statute and Howard's orders, fluctuating in reach and enforcement, and shifting with the change of state courts' commitment to blacks' legal equality and changes in personnel. Still, they represented the reach and power of the federal authority. The Texas assistant commissioner characterized the Bureau courts in his state as "irregular," which resulted in lower-level agents who, "having no uniform instructions, variously interpreted their powers and prerogatives, and often acted at variance with each other."[41]

State-level orders from assistant commissioners ranged in their clarity. In Tennessee, for example, assistant commissioner Clinton B. Fisk mirrored Howard's ambiguous circular and directed his agents to assume "exclusive jurisdiction in the adjudication of differences" when state courts "exclude the testimony of colored citizens."[42] In Mississippi, on the other hand, Bureau officials took jurisdiction over a more specific description of disputes: "petty cases such as theft, disobedience and breach of the peace" involving black people as well as "cases of cruelty and abuse of freedmen."[43]

The teenager Alfred Jefferson's case sheds light on the struggles and successes the Bureau courts faced. The Bureau charged the white planter who had bought Jefferson's labor, Allen Thomas, and his two conspirators with unlawfully striking and assaulting Jefferson, tying him to a tree, and removing his pants to "strike and whip" him, "inflicting upon the naked part of his body, exposed by the removal of his britches, more than fifty severe blows." The Bureau further charged Thomas and his conspirators with another beating that resulted in "forty severe blows" after Jefferson presented a note from the Bureau agent demanding that Thomas cease beating him. Thomas ▸

responded to the charges by asserting that rather than 90 total "severe blows" he only inflicted about 18 "moderate blows." He also admitted that he struck Jefferson after receiving Grossman's note and that he did so explicitly "in defiance of such notification and warning" — exemplifying the troubles the Bureau had in commanding respect from local white Southerners.[44]

Grossman was remarkably transparent about his own limitations in forming the Bureau court. Posted in rural northern Florida, he received little guidance from his superiors and "no rules for the action of the members and the manner in which the proceedings were to be recorded." He then formed "as nearly as possible the usual forms and rules by which Courts Martial are regulated." As a longtime soldier — he enlisted in 1855 — these military courts were probably the judicial bodies with which Grossman was most familiar.[45] He also sought two additional members, one chosen by each party, to serve as judges on the court.

Alfred Jefferson selected Simon B. Conover, then an army surgeon (and later U.S. senator from Florida), as his lawyer; the defendants selected a local planter, Garrett Vanzant. Grossman saw that Thomas was well-represented but he realized the court needed a prosecutor. Because the other two judges of his court staff were not "acquainted with the rules of Military Tribunals this duty devolved upon me."

The Bureau agent, then, wore multiple hats: judge, prosecutor, and recorder of the court, because no one else knew the proper recording procedures. Grossman urged that future Bureau courts employ some sort of prosecutor because the defendants employed "talented counsel and all the arguments on their side will certainly have the advantage."[46]

The Bureau court invoked the United States of America when it swore to "duly administer justice according to our conscience, the best of our understanding and without partiality, favor, or affection."[47] Grossman was clear in stating that "in accordance with the laws of the land [Jefferson] enjoys the same privileges as a white man." So when Jefferson "was tied up without authority of law and then whipped," the perpetrator had violated the law.[48] Ultimately, the three-judge Bureau court fined Thomas $75 to be paid to the United States. It is unclear what happened to young Alfred Jefferson at the conclusion of the case.[49]

For a brief period of time following the Civil War, the federal judiciary expanded to protect the rights of freedpeople. The federal government's efforts to secure justice for freedmen and freedwomen brought relief to thousands of in an otherwise turbulent time. The Bureau was instrumental in combatting discriminatory state courts and state procedures by providing an alternative legal forum for black people to gain dignity and equality — and, perhaps, justice in the face of violence that formerly enslaved people like Alfred Jefferson endured. Although the end of Reconstruction would beget the rise of Jim Crow, from 1865 through 1867, freedpeople "stood a brief moment in the sun," as W.E.B. DuBois wrote, due largely to a federal judiciary at the zenith of its power.[50]

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[1] Letter from Captain F.E. Grossman to Lt. L.H. Lyman, (Oct. 19, 1866) Letters Received Volume 1, D-J, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[2] Affidavit of Alfred Jefferson, enclosed in Letter from Captain F.E. Grossman to Lt. L.H. Lyman, (Oct. 19, 1866) Letters Received Volume 1, D-J, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[3] Letter from Captain F.E. Grossman to Lt. L.H. Lyman, (Oct. 19, 1866) Letters Received Volume 1, D-J, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[4] Eric Foner, Reconstruction: America's Unfinished Revolution 199–201 (1988).

[5] *See generally* Ira Berlin, ed., Slaves No More: Three Essays on Emancipation and the Civil War (1992).

[6] George Bentley, History of the Freedmen's Bureau 21–24 (1955).

[7] Oliver O. Howard, Autobiography of Oliver Otis Howard, vol. 2 197–98 (1907) (describing national conference of freedmen's associations and their disappointment in Congress's failure "to establish any bureau of freedmen's affairs").

[8] An Act to Establish a Bureau for the Relief of Freedmen and Refugees, 13 Stat. 507 (1865).

[9] Howard, *supra* note 7, at 199-201; Bentley, *supra* note 6, at 36–49.

[10] William S. McFeely, Yankee Stepfather: General O.O. Howard and the Freedmen 65 (1968).

[11] Howard, *supra* note 7, at 201. For instances of congressional arguments on the Bureau, see Cong. Globe, 38th Cong., 2nd. Sess. 990, 1348, 1402 (1865).

[12] Bentley, *supra* note 6, at 38.

[13] Bureau Act, 13 Stat. 507.

[14] Howard, *supra* note 7, at 204.

[15] Foner, *supra* note 4, at 142–43.

[16] *See generally* Howard, *supra* note 7, at 206–38.

[17] Bentley, *supra* note 6, at 65.

[18] Howard, *supra* note 7, at 251.

[19] *Id.*, at 252.

[20] Circular No. 5, Freedmen's Bureau Headquarters, Washington, D.C., May 30, 1865, *House Executive Documents*, 39th Cong., 1st sess., no. 70 (serial 1256), 10.

[21] Robert J. Kaczorowski, *The Nationalization of Civil Rights Constitutional Theory and Practice in a Racist Society, 1866-1883* (PhD diss., University of Minnesota, 1971), 126. "[T]he Civil Rights Act and the Freedmen's Bureau Act were intended to strengthen and make permanent and universal the federal protection offered by the Bureau and military in the South."

[22] Veto Message of Andrew Johnson over the Second Freedmen's Bureau Bill, Feb. 19, 1866, *available at* www.presidency.ucsb.edu/ws/?pid=71977.

[23] Donald G. Nieman, To Set The Law In Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868, at 8, (1979).

[24] Bentley, *supra* note 6, at 157.

[25] *Id.*, at 158.

[26] *Id.*, at 158–59, discusses their re-emergence even after southern states permitted blacks to testify in court. *See also* Nieman, *supra* note 23, at 23–28, discussing the Bureau's disappointment with ending the courts as states moved "no further than absolutely necessary in expanding blacks' civil rights."

[27] Civil Rights Act of 1866 (emphasis added).

[28] *See generally* Howard C. Westwood, *Getting Justice for the Freedmen,* 16 Howard L. J. 530 (1971).

[29] Harold Melvin Hyman, Era Of The Oath: Northern Loyalty Tests During The Civil War And Reconstruction 159 (2011).

[30] *Id.* at 56-57. Hyman discusses how federal court operations were impeded in South Carolina, North Carolina, Texas, Alabama, Georgia, and Virginia because many jurists and judicial employees were unable to take the ironclad test oath.

[31] U.S. Congress, *Senate Executive Document*, 39th Cong., 1st Sess., no. 25, Feb. 19, 1866.

[32] An Act to continue in force and to amend "An act to establish a Bureau for the Relief of Freedmen and Refugees, and for other Purposes," 14 Stat. 173 (July 16, 1866).

[33] Nieman, *supra* note 23, at 3.

[34] James Oakes, *A Failure of Vision: The Collapse of the Freedmen's Bureau Courts*, 25 Civil War Hist. 66, 72 (1979).

[35] Bentley, *supra* note 6, at 160.

[36] *Id.*, at 154. *See also* Paul S. Peirce, The Freedmen's Bureau: A Chapter in the History of Reconstruction 144 (1904).

[37] Nieman, *supra* note 23, at 9.

[38] Howard, *supra* note 7, at 252. *See also* Bentley, *supra* note 6, at 160 (discussing how "[a] large majority of the cases tried by these Bureau courts involved disputes over contracts and wages.").

[39] Nieman, *supra* note 23, at 9 (discussing how Bureau and military officials were "unwilling to permit individual officers and agents, most of whom had had no legal training, to try such serious matters as grand larceny, burglary, arson, rape, assault with intent to kill, and murder").

[40] One thesis had summarized how "[t]he historical record does not reveal precisely how many courts the Bureau established in each state. The numbered varied within each state depending upon the number of agents, the activity of the military and state authorities in providing alternative sources of justice, and the conditions prevailing within particular counties." Harry August Volz III, *The Administration of Justice by the Freedmen's Bureau in Kentucky, South Carolina, and Virginia* (master's thesis, University of Virginia, 1975), 14.

[41] U.S. Congress, *Senate Executive Document*, 39th Cong., 2nd Sess., no. 6, Jan. 3, 1867, p. 145.

[42] U.S. Congress, *House Executive Document*, 39th Cong., 1st Sess., no. 70, Mar. 20, 1866, p. 46.

[43] Mary Farmer-Kaiser, Freedwomen and the Freedmen's Bureau: Race, Gender, and Public Policy in the Age of Emancipation 145 (2010).

[44] General Orders No. 1 (Nov. 17, 1866) Letters Received Volume 1, D-J, Florida: BRFAL, M1869, (Ancestry.com), accessed 2016.

[45] For a brief biography of Grossman, *see* Guy Henry, Military Records of Civilian Appointments in the United States Army, vol. 1 327 (1873).

[46] Letter from Captain F.E. Grossman to Lt. L.H. Lyman, (Nov. 10, 1866) Letters Received Volume 1, D-J, Florida: BRFAL, M1869, (Ancestry.com), accessed 2016.

[47] Oath of Members, Proceedings of a Bureau Court in Lake City, Fla., enclosed in Letter from F.E. Grossman to L.H. Lyman, (Nov. 10, 1866) Letters Received Volume 2, G-S, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[48] Reply to the Defense Offered of the Accused, Proceedings of a Bureau Court in Lake City, Fla., enclosed in Letter from F.E. Grossman to L.H. Lyman, (Nov. 10, 1866) Letters Received Volume 2, G-S, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[49] Proceedings of a Bureau Court in Lake City, Fla., enclosed in Letter from F.E. Grossman to L.H. Lyman, (Nov. 10, 1866) Letters Received Volume 2, G-S, Florida: BRFAL, M1869, (Ancestry.com), accessed 2017.

[50] W.E.B. DuBois, Black Reconstruction in America: 1860-1880 at 30 (1998).