Thirty-Eighth
Congress of the United States
At the Second Session
BEGUN AND HELD AT THE CITY OF WASHINGTON
in the District of Columbia
on Monday the fifth day of December one thousand eight hundred and sixty-four.

AN ACT
To establish a Bureau for the relief of freedmen and ex-slaves.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

That there be created a bureau in the War Department to continue during the period of war and reconstruction, and in such case as the President may direct, a bureau for the promotion of education and the maintenance of freedmen and ex-slaves, and for the relief of such persons, and their families, as may be prescribed by the head of the bureau, and approved by the President. The said bureau shall be under the management and control of a commission to be appointed by the President, by and with the advice and consent of the Senate.

The compensation for the officials of the said bureau shall be three thousand dollars per annum, and such number of clerks as may be prescribed by the Secretary of War, not exceeding one chief clerk, two of the fourth class, two of the third class, and five of the first class, and the commissioner and all persons appointed under this act, shall before entering upon their duties, take the oath
of office prescribed in an act entitled "An Act to prescribe an oath of office and for other purposes," approved July second, eighteen hundred and eighty-two; and the commissioners and the Chief Clerk, before entering upon their duties, give bond, to the treasurer of the United States, the former in the sum of fifty thousand dollars, and the latter in the sum of ten thousand dollars, conditioned for the faithful discharge of their duties, respectively, and especially secured as sufficient by the Attorney General, which bonds shall be filed in the office of the first Commissioner of the Treasury to be by him put in suit for the benefit of any injured party upon demand of the conditions thereof.

Sec. 2. And be it further enacted, That the Secretary of War may direct such issues of provisions, clothing, fuel, as he may deem necessary for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children under such rules and regulations as he may direct.

Sec. 3. And be it further enacted, That the President, may, by and with the advice and consent of the Senate, appoint an assistant Commissioner for each of the States declared to be in insurrection, not exceeding ten in number, who shall under the direction of the Commissioner, aid in the execution of the provisions of this act; and he shall give a bond to the treasurer of the United States, in the sum of twenty thousand dollars, in the form and manner....
Reserved in the first section of this act. Each of said commissioners shall receive an annual salary of two thousand one hundred dollars, besides compensation for all his services, but any military officer may be detailed and assigned to duty under this act, and the services thereof may be accepted or allowed. The commissioners shall, before the commencement of each regular session of Congress, make full report of their proceedings with exhibits of the state of their accounts to the President, who shall communicate the same to Congress and shall also make the special report, whenever required by the President or either house of Congress, and the absent commissioners shall report quarterly their proceedings to the President, and also such other special reports as from time to time may be required.

Sec. 4. And be it further enacted, that the commissioners, under the direction of the President, shall have authority to set apart for the use of loyal refugees and freedmen, such tracts of land within the secessionary states as shall have been abandoned, or to which the United States shall have acquired title by conquest, sale, or otherwise, and to every male citizen, whether refugee or freedman, as aforesaid, there shall be assigned not more than forty acres of such land, and the person to whom it was so assigned shall be protected in the use and enjoyment of the land for the term of three years at an annual rent not exceeding six per centum upon the value of such land, as it was appraised by the state authorities in the year.
eighteen-hundred and sixty, for the purpose of taxation, and in case no such assessment can be found, then the rental shall be based upon the estimated value of the land in said year to be ascertained in such manner as the Commissioner may by regulation prescribe. At the end of said term, or at any time during said term, the occupants of any parcels so assigned may purchase the land and receive such title thereto as the United States can convey, upon paying therefor the value of the land, as ascertained and fixed, for the purpose of determining the annual rent hereinafter.

Sec. 3. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

Jefferson, March 3, 1866

Abraham Lincoln