



Smithsonian Institution

Freedmen's Bureau

Mississippi Assistant Commissioner, Labor Contracts of Freedmen, Oct.–Dec. 1865, Part 3

Extracted on Apr-23-2024 08:23:49

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[[left column]]
S #1 A.L.G.O. 1865
S. 53. F.R.S.W. '65
Sardis Panola Co
Miss. Decr. 14 65

Simmons, J. R.
Atty &c
[[strikethrough]] S 11 F.B.N.M. 1866[[strikethrough]]
Encloses Certificate
of Lt J.P. Aringdale
Sub. Comr. Panola Co
that Simmons and Crump as attorneys
to defend certain
Freedmen before the
Circuit Court of Panola
Co. have been employed
at \$400.
[[images - 3 seals]]
1 enclosure
Rec. F.B. Jan. 15, 1865
[[/left column]]

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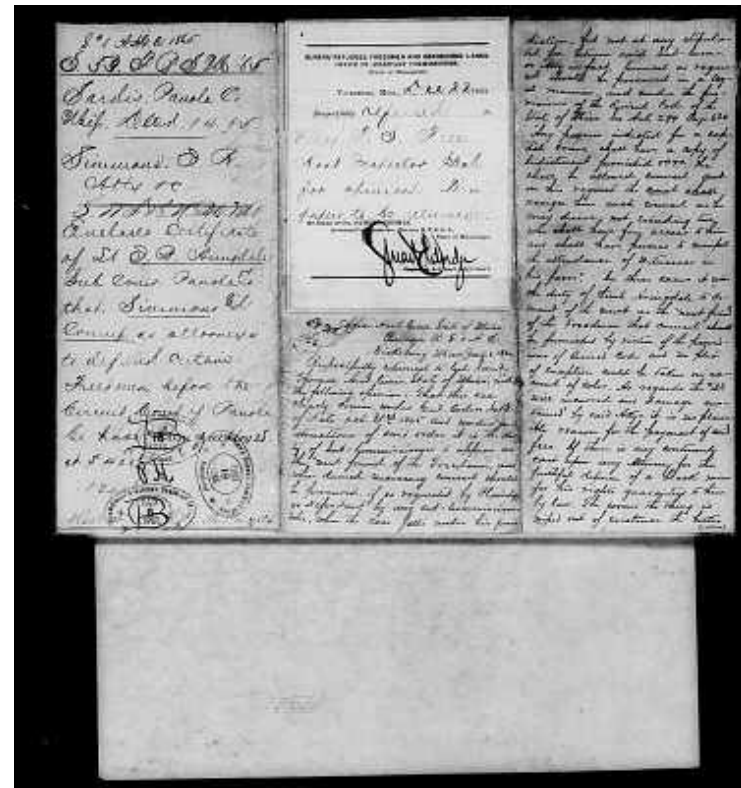
BUREAU REFUGEES, FREEDMAN AND ABANDONED LANDS.
OFFICE OF ASSISTANCE COMMISSIONER,
STATE OF MISSISSIPPI

Vicksburg, Miss., Dec 22 1865.
Respectfully referred to
Maj T.S. Free.
Asst Inspector Genl.
for opinion. These
papers to be returned.
By order of Col. Samuel Thomas,
Assistant Commissioner, Bureau R.F. & A.L.,
State of Mississippi
Stuart Eldridge
[[strikethrough]] Capt. and [[/strikethrough]] Ass't Adj't Gen'l.
[[/middle column top]]

[[middle column bottom]]
E & W 1 1866

Office Asst. Com'r. State of Miss.
Bureau R.F. & A.L.
Vicksburg Miss, Jan'y 6, 1865

Respectfully returned to Col. Sam'l Thomas Asst. Com'r. State of Miss,
with the following opinion: That this case clearly comes under Gen'l.
Order No. 13 of date Oct. 31st, 1865 and under instructions of said
order it is the duty of Sub-Commissioners to appear as the "next friend
of the Freedmen, and when deemed necessary counsel should be
procured, if is requested by Plaintiff or Defendant by any sub-
commissioner who, when the case falls under his juris
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diction, but not at any stipulated fee between said Sub-Com'r. or Atty. in fact, Counsel so required should be procured in a legal manner, and under the provisions of the Revised Code of the State of Miss. See Art. 294 Page 620.

"Any person indicted for a capital crime shall have a copy of Indictment furnished &c &c. He shall be allowed counsel and on his request the court shall assign him such counsel as he may desire, not exceeding two who shall have free access to him and shall have process to compel the attendance of witnesses in his favor." In these cases it was the duty of Lieut. Aringdale to demand of the court as the "next friend" of the Freedman that counsel should be furnished by virtue of the provisions of Revised Code and no plea of exception could be taken on account of color. As regards the "ill will incurred and damage sustained" by said Attys. it is no plausible reason for the payment of said fees. If there is any contumely cast upon any Attorney for the faithful defense of a black man for his rights guarantied to him by law. The sooner the thing is wiped out of existence the better (over)

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