

JAMES WEBB THROCKMORTON: THE LIFE AND CAREER  
OF A SOUTHERN FRONTIER POLITICIAN, 1825-1894

A Dissertation

by

KENNETH WAYNE HOWELL

Submitted to the Office of Graduate Studies of  
Texas A&M University  
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

May 2005

Major Subject: History

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May 2005

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## ABSTRACT

James Webb Throckmorton: The Life and Career  
of a Southern Frontier Politician, 1825-1894. (May 2005)

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Many scholars of the Reconstruction era have examined James Webb Throckmorton's political career between 1860 and 1867 and have revealed that his racist views helped hasten the end of Radical Reconstruction in Texas. However, these scholars have not explained the motivations behind Throckmorton's political ideology, nor have they explained adequately the origins of the North Texan's racism. This dissertation focuses on these critical issues by examining the development of Throckmorton's personal and political beliefs between 1850 and 1874. It shows that Throckmorton's political ideology was influenced by four primary factors: his early experiences on the North Texas frontier, his desire to create a community on the frontier that was primarily designed to be a haven for white settlers, his commitment to political conservatism which evolved from his early affiliation with Whig political ideology, and his quest to bring economic improvement to

the North Texas region. In contrast to other scholarly works on Throckmorton which claim that the North Texan's political views were contradictory and inconsistent, this study demonstrates that Throckmorton's ideological beliefs remained constant and changed little over time. His commitment to preserving the whiteness of the frontier, to protecting the settlers of his home region, to conservative political ideology, and to internal improvements, especially railroads, never wavered during one of the most turbulent periods in Texas politics. This study also reinforces several important conclusions about the South in the nineteenth century: The region was never a homogeneous society; southern racism was multifaceted; and southern settlers migrating westward, especially those from the Upper South, viewed the frontier as a potential escape from the political and social dominance of large slaveholders.

For Felesha, Zachary, Tyler, and one of my most loyal  
supporters James Smallwood

And to the memory of a good friend and mentor

Dr. Barry Crouch

(February 26, 1941 - March 13, 2002)

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I am also thankful to a number of close academic friends who listened patiently to my ideas concerning the development of Throckmorton's political ideology and character and offered their unwavering support for this project. Among those who provided the most insight and

encouragement were Charles Spurling, Ty Cashion, Carl Moneyhon, Bill Stein, Robert Wettemann, Keith Volanto, Kirk Bane, Dale Baum, Bruce Glasrud, and Tai Kreidler. While I have stretched my memory in an effort to include all that have aided my efforts, I am sure that I have left someone out. I apologize for any lapse in memory. Two men who deserve my special thanks in regard to this project are Professors Barry Crouch and James Smallwood.

Unfortunately, Professor Crouch passed away before I began work on the dissertation, but he is responsible for sparking my interest in Throckmorton and convinced me that a biographical study of this nineteenth-century Texan was a worthwhile project. Professor Smallwood also deserves a special thanks. He took time away from his own projects to read every word of the manuscript and offered many valuable insights.

Throughout this project I have received the help of numerous archivists and librarians. I am especially grateful for the help received from the staff of the Texas State Archives and Library in Austin, Texas. Donally Brice, a good friend and one of the most knowledgeable archivists at the state archives, provided extraordinary research assistance. Likewise the archivists and research assistants at the Center for American History, the Austin

Public Library, and Texas A&M University's libraries deserve a special thanks for all their help during my many visits to their depositories.

During my efforts to research information on Throckmorton's family background, the descendants of James Webb Throckmorton provided me with numerous genealogical documents related to the subject. I owe Gary Throckmorton a special debt of gratitude in this regard. With his help, I believe we have been able to solve some of the mysteries of Throckmorton's early life.

Finally, thanks to my family for all their prayers, advice, encouragement, and moral support, and especially to Felesha, my wife, and Zachary and Tyler, my children. Their love, support, understanding, and countless daily acts of service allowed me to complete this project. Despite all the valuable assistance that I have received throughout the research and writing of this dissertation, all errors of fact, faulty interpretations, and mistaken conclusions are my own.

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CHAPTER I  
INTRODUCTION: AN ENIGMA IN  
NINETEENTH-CENTURY TEXAS POLITICS

James Webb Throckmorton was one of the most noted politicians of nineteenth-century Texas. Beginning in 1850, he orchestrated a political career which few Texas politicians have been able to match. By the end of life, Throckmorton had served as a representative and senator in the state legislature, as the governor of Texas, and as a member of the United States Congress. Between 1850 and 1894, Throckmorton's political reputation and name recognition among the Texans equaled that of other noted individuals of the times, including Sam Houston, Elisha M. Pease, John H. Reagan, Edmund J. Davis, and James S. Hogg. However, despite the notoriety that he enjoyed during his own time, Throckmorton remains a forgotten figure in the history of the Lone Star State.

Evidence suggests that Throckmorton's life and political career were significantly influenced by four primary factors: his experiences of living within a frontier culture; his embrace of conservative Whig

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This dissertation follows the style and format of *The Journal of Southern History*.

political ideology; his belief in white superiority; and his desire to stimulate economic development in North Texas. Of these three factors, the former had the greatest overall impact on his life and career. The frontier culture shaped Throckmorton's views of the world as he understood it, especially his concept of race, class, and patriotism. For example, Throckmorton's support of white supremacy was directly correlated to the common perception held by white settlers that the frontier was a white man's world. However, the settlers' contempt of African-American slaves did not derive from a pure devotion to the white race. Instead, it stemmed from the settlers' fear of planter domination in society and in politics.

The North Texas frontier was populated with people who left the Upper South states, like Tennessee, because of the increasing encroachment of white planters. Once these planters moved into an area, they typically dominated social, economic, and political institutions within the region. Thus, those small farmers who lived on the Texas frontier sought to disassociate themselves from this elite class, and thereby govern their own affairs. Their racial hatred of blacks was in part fashioned by their dislike of the planters: The slaves were the clearest symbols of the

planters' wealth. Thus, while Throckmorton remains an interesting subject in Texas history, his life and political career also provide scholars insights into the political, social, and economic views of a frontier society.

Though twentieth century scholars have afforded limited attention to Throckmorton, they have not completely abandoned him as a subject of study. The most cited examination of Throckmorton remains Claude Elliott's biography *Leathercoat: The Life of James W. Throckmorton*. Elliott's study covered many of the major events of Throckmorton's political career, but, like many biographers, Elliott emphasized the Texas politician's accomplishments, while ignoring his subject's failures. In his preface, Elliott stated that "it is true that no one service of James W. Throckmorton to his State and nation has great magnitude but it appears to me that the myriad of services which he performed should place him among the greater Texas statesmen of his time."<sup>1</sup> In an effort to prove his thesis, the author examined Throckmorton's career with blinders on, focusing on the accomplishments of Throckmorton more so than his personal and political frustrations. Yet, the author stated that he has "attempted to set forth the factual statements, and [has]

made little attempt to interpret either the man or his times. It is a factual study and not an interpretation."<sup>2</sup>

While Elliott's approach to biography may have been acceptable in the 1930s when his book was published, it leaves readers with an incomplete understanding of Throckmorton and his times. Even though Elliott's work introduces the major events of Throckmorton's life, readers are still left wondering *why* this nineteenth-century politician is important to the history of Texas, as well as the history of the South and the United States. One of the greatest shortcomings of this work is its failure to discuss the roles that race and class played in Throckmorton's political career. Nevertheless, despite these evident flaws, Elliott's work remains a valuable source of information and offers key insights into how the frontier shaped Throckmorton's political views.

Two other works that also focus directly on the political career of Throckmorton are Ruby Crawford Holbert's "The Public Career of James Webb Throckmorton, 1851-1867" and Arlene M. Harrison's "J. W. Throckmorton's Administration."<sup>3</sup> While both of these authors make valuable contributions, they also fail to examine how race and class conflict shaped the North Texan's ideological views. However, these studies are problematic for reasons

beyond the limited analysis of their subject.

Holbert's work, which predated Elliott's full-length biography, also views Throckmorton as something of a great Texas patriot. The author concluded that "Texas has every reason to feel justly proud" of Throckmorton. She stated, "As a pure and undaunted patriot he discharged with fidelity all of the duties of his office. Never has Texas had a more honest official." Holbert contended that Throckmorton was "equal to any emergency, industrious, zealous, and faithful to his constituency." In terms of Throckmorton's relationship with his constituents, Holbert found that "when demagogues slandered him, the people, to whose interests he ever devoted his every energy, always came to his support. Temporary success may be purchased by trickery and political scheming, but such long-continued and unchanging success can be attained only by honesty, industry, and energy."<sup>4</sup> Although there is an element of truth in her statements—Throckmorton was always popular among many of the voters of North Central Texas—Holbert does not give proper attention to his personal and political shortcomings, such as his racist views and his attempts to exclude blacks from the electorate during his term as governor. In refusing to acknowledge Throckmorton's character flaws, the author portrays the

Texas politician as a tragic figure, a victim of Congressional Reconstruction. By overemphasizing his accomplishments, Holbert offers her readers an incomplete and often misleading interpretation of Throckmorton.

Arlene Harrison's interpretation of Leathercoat and his administration benefitted from the passage of the four decades which separated her work from that of both Elliott and Holbert. Overall, Harrison's interpretation of the governor's administration is more objective than previous Throckmorton biographers, offering readers a fairer assessment of her subject than earlier published works. Harrison's scholarship questions whether or not the military authorities were valid in their removal of Throckmorton from the governorship during Reconstruction in Texas. Harrison correctly concluded that "the charges against the Throckmorton administration had some validity. Outrages against Union men and freedmen went unpunished, in spite of Throckmorton's constant efforts to see justice administered fairly. The Texas government discriminated against the freedmen but provided some basic rights." Harrison continued, "Throckmorton tried to cooperate with the military, but the commanders generally disregarded his advice. His several appeals to President [Andrew] Johnson increased the hostility between him and the commanders.

Thus, Throckmorton's removal was justified."<sup>5</sup> Harrison's study offers a very limited glimpse into Throckmorton's life and political career because he was governor for just over a year before the military authorities removed him from office. By examining such a brief period of time, Harrison generally fails to answer several key questions: What events prior to his becoming governor shaped Throckmorton's political views? Did these preconceived political views affect his judgement as governor and lead to his removal? What role did the deposed governor play in thwarting Reconstruction's effect in Texas?

Other scholars have examined Throckmorton's role in the broader scope of Texas history. Beginning at the turn of twentieth century, researchers routinely included Throckmorton in their studies of Texas' past, focusing primarily on his role during Reconstruction. Their studies have naturally followed the general trends of American historiography. Many of the studies written prior to the 1960s, viewed Reconstruction in Texas from the ex-Confederate point of view. These works tended to blame the Civil War on the North's encroachment upon states' rights. Likewise, these early scholars viewed whites in the South, especially politicians, as victims of northern abuses during the Reconstruction era. This interpretation can be

traced back to the late nineteenth-century arguments of William A. Dunning, a professor of history at Columbia University. Dunning's basic argument was that upstanding southern whites were thrust from power by the maleficent carpetbaggers and scalawags. These scholars are typically labeled "traditionalists."<sup>6</sup>

Charles W. Ramsdell was one of the most noted Texas historians to support the traditionalist view. In his *Reconstruction in Texas*, Ramsdell recounted the events of Texas between 1865 and 1873. Throughout the pages of this work, Throckmorton is consistently viewed as an honest politician who fell victim to the aggressive actions of radical Unionists in Texas (so-called carpetbaggers and scalawags), radical members of the U. S. Congress, and military authorities who enforced reconstruction policies in the state. For example, in answer to charges made by the military authorities that "Throckmorton encouraged the oppression and murder of Union men and refused to do anything toward having the criminals punished," Ramsdell exonerates the governor by stating "that a careful examination and review of all the evidence accessible does not in any way justify these accusations."<sup>7</sup> Clarifying his position, Ramsdell argues that "many cases cited and complained of [against radical Unionists and freedmen] had

not even come to the governor's attention until brought up by the military, for the simple reason that the complaints had been filed not with the civil officials but with the military instead."<sup>8</sup> While there is a thread of truth in Ramsdell's observation, he fails to reveal the complexities of the circumstances which eventually led to the removal of Throckmorton from office. Ramsdell does not mention the Texas governor's personal biases against giving the freedmen the right to vote, the economic and political motivations driving his stance against Congressional Reconstruction, or his inability to effectively carry out the laws of his state. Instead, Ramsdell leaves his reader to believe that the military authorities were blinded to Throckmorton's earnest attempts to properly restore Texas to the Union because they simply "lumped all ex-Confederates together and hastily identified anti-radicalism with disloyalty."<sup>9</sup>

Following Ramsdell's lead, other scholars writing in the early twentieth century embraced the traditional point of view that Governor Throckmorton was something of a faultless, helpless victim of military authorities and radical Unionists, both in Washington, D.C., and in Texas. William C. Nunn in *Texas Under the Carpetbaggers* briefly examined the impact of the Congressional Reconstruction Act

of March 2, 1867, on Governor Throckmorton and his administration, concluding that the state's chief executive "attempted, with great difficulty, to administer state government according to the wishes of military commanders and at the same time according to his sense of duty." Nunn continues, "General Sheridan removed him on July 30, 1867[,] to satisfy the constantly clamoring Radicals and Major General Charles Griffin, head of the United States Army in Texas, who disliked Throckmorton intensely."<sup>10</sup>

Ernest Wallace's *Texas in Turmoil* discusses Throckmorton's plan for bringing Texas back into the Union during his term as governor. According to Wallace, Throckmorton wanted to "minimize interference by the military and Freedmen's Bureau officials" by enforcing the laws of the state justly and fairly; "to regain for the state courts jurisdiction" over civil cases; and "to secure the transfer of the military from the interior to the unprotected frontier."<sup>11</sup> The arguments of Nunn and Wallace, like Ramsdell before them, enjoyed widespread acceptance among the historical community and the public-at-large at the time of their publication; however, the merit of their work was challenged by the emergence of revisionist historians in the 1960s.

Concurrent with the civil rights movement of the mid-

1960s, American scholarship experienced meaningful changes. Graduate students and young professors began examining the contributions that African Americans, as well as other racial and ethnic groups, made in United States history. Throckmorton's reputation did not fair well in the hands of the revisionists. John Pressley Carrier states that the Texas politician, despite his former sentiments for the Union in 1861, was not "far in sentiment and policy from the secessionist Democrats." Carrier continues by concluding that Throckmorton grudgingly accepted emancipation of the slaves, but nothing else.

"Throckmorton . . . favored a system of compulsory labor for the freedmen, [and] the rejection of the Thirteenth Amendment," and he "hoped that the Texas legislature would also disregard the congressional test oath in selecting federal representatives under the new constitution."

Throughout his work, Carrier emphasizes that Throckmorton's motivations were based upon his racist views against African Americans.<sup>12</sup> Carrier clearly revealed that the governor's racist views influenced his decisions in office, but his readers are still left with the question: Why did Throckmorton put his political career in jeopardy for the cause of white supremacy?

Other revisionists' accounts are similar to Carrier's.

James Smallwood in his study *Time of Hope, Time of Despair* contends that "Throckmorton . . . opposed the extension of legal or political rights to freedmen. Although considered a moderate, he opposed the expansion of the Freedmen's Bureau and tried to secure its removal from the state." Smallwood continues by stating that "He [Throckmorton] lobbied for the supremacy of state or civil authorities over federal personnel."<sup>13</sup> Once again, Smallwood's study fails to discuss *why* Throckmorton pursued these action, and therefore, scholars remain puzzled over the question of the governor's racial motivation.

Carl Moneyhon also believes that Throckmorton's racial views directed his actions during reconstruction in Texas. Moneyhon in *Republicanism in Reconstruction Texas* states that Leathercoat "typified those Unionists who viewed any action other than the simple recognition of the fact of emancipation as unnecessary and dangerous." Moneyhon correctly observes that it is difficult to determine the motivations causing white hostilities directed toward the freedmen. However, the author concludes that Throckmorton's "correspondence suggests that he saw the efforts of the administration at Austin as detrimental in the extreme to the ability of [white] farmers to obtain labor." Moneyhon explains further that Throckmorton "saw

allowing blacks to serve on juries as a first step toward full citizenship and, consequently, a step toward depriving agriculture of its necessary labor force," and being "unable to secure concessions from Hamilton [provisional governor of Texas], Throckmorton set about developing a new system that would provide coerced labor."<sup>14</sup> Moneyhon's study advanced Reconstruction scholarship by recognizing that the governor's actions were partly directed by economic and racial motivations, but he does not explain why Throckmorton was adamantly opposed to giving free blacks civil rights, especially considering that the governor came from a region of the state that maintained a relatively small population of former slaves and engaged in agricultural pursuits which did not call for forced labor contracts. In this regard, Moneyhon does not consider *how* Throckmorton's life experiences on the North Texas frontier shaped the governor's view of the world.

Barry Crouch and Dale Baum also include Throckmorton in their broader studies of Reconstruction Texas. Crouch's *The Freedmen's Bureau and Black Texans* briefly alludes to Throckmorton's contempt for the freedmen by revealing that the governor did nothing to help alleviate white violence inflicted upon black Texans and their Unionist allies. Crouch suggests that Throckmorton's refusal to end the

violence against blacks and white Unionists was racially motivated.<sup>15</sup> Baum's *The Shattering of Texas Unionism* also highlights how Throckmorton's racial hatred of blacks and ethnic groups was a significant part of his political beliefs. In discussing the 1866 state elections, Baum focuses on Throckmorton's anti-immigrant attitude as possibly being the primary reason for the gubernatorial candidate's conservative views in politics.<sup>16</sup>

Furthermore, Baum succinctly defines Throckmorton's attitude toward immigrants from the Northeastern part of the United States and Europe by quoting a private letter from Throckmorton to Benjamin Epperson. According to the letter, Throckmorton's opposition to immigration "prompted him . . . to accuse 'sour krauts' and 'swindling Yankees' of being potential 'd-m-d negro worshiping skunks' who would mongrelize Texas society. . . ." <sup>17</sup> Baum also mentions Leathercoat's views toward the freedmen. He states that "Throckmorton believed that unless coerced, the 'nigs' would not work productively or take care of themselves in their new freedom." Baum continues, "He [Throckmorton] blamed all of the state's difficulties on the Republicans or, once when complaining to local military authorities, entirely on the presence of colored troops."<sup>18</sup>

The revisionist historians should be commended for

their overall contributions to the understanding of Texas and the larger South during Reconstruction. Nevertheless, their examinations of Throckmorton fall short. Even though they have well documented the governor's white supremacy attitudes, the revisionists have not effectively explained why Throckmorton was a die-hard racist. Additionally, in focusing primarily on his racist views, they have turned a blind eye to other potential factors which dictated the governor's behavior. The revisionists give very little consideration to the evolution of Throckmorton's political ideology, his involvement with railroad development in the northern part of Texas, and his close affiliation with the frontier culture.

Following the revisionist school, another group of scholars began to reassess history from a more moderate perspective. Most of these historians did not abandon the more laudable goals of the revisionists: Like their predecessors, they too attempted to create a more inclusive and useable past. However, this group of researchers began to examine additional issues which revisionists chose not emphasize in their works, including economic development, migration patterns, and the impact of national events on state and local politics. The post-revisionist scholars include Walter Buenger, Randolph Campbell, Gregg Cantrell,

Richard McCaslin, and William Richter.

In *Secession and the Union in Texas*, Walter Buenger focuses on how migration into Texas, culture, partisanship, ideology, and self-interest of politicians played a vital part in the secession of Texas from the Union. Because this study details the secession movement in Texas, Throckmorton's support for the Union is discussed at length. Buenger finds that "by 1860 Throckmorton stood second only to Sam Houston among the unionists of Texas." He continues, "Throckmorton's Unionism sprang from Whig ideology, partisan antipathy for leaders of secession, a rational assessment of the events leading to secession, and membership in a Non-Lower South cultural group."<sup>19</sup> Additionally, Buenger portrays the North Texas politician as an avid opponent of East Texas secessionists, an argument that seems to counter revisionists contentions that Throckmorton was closely associated with the latter group. Buenger's analysis is one of the first works that attempts to understand the events and factors which shaped Throckmorton's political ideology, and, as a result, he is one of the first scholars to address the complexities surrounding this Texas politician's life.

Other post-revisionist historians also attempted to examine Throckmorton within the context of national and

state politics. Randolph Campbell's article, "The District Judges of Texas in 1866-1867: An Episode in the Failure of Presidential Reconstruction," does not directly deal with Throckmorton, but it does suggest that national politics had a direct effect on Throckmorton's governorship and his eventual removal from office.<sup>20</sup> Though he does not ignore the Texas governor's racial views, Campbell finds that "the ultimate demonstration of how badly the Lincoln-Johnson approach [to Reconstruction] had failed, many of the officials elected on June 25, 1866, including James W. Throckmorton, would lose their positions to military appointees."<sup>21</sup> Campbell also states that "Presidential Reconstruction in Texas failed for many reasons, not all of which arose from within the Lone Star State." Clarifying his position, Campbell argues that "the political ineptitude of President Johnson, the determination of Radical Republican leaders like Thaddeus Stevens, and developments across the eleven states of the old Confederacy all contributed."<sup>22</sup> However, Campbell clearly recognizes that "many Texans themselves, voters and officeholders alike, maintained attitudes and pursued policies that almost guaranteed the failure of what has been called 'self-reconstruction' in 1866-1867."<sup>23</sup> Thus, while Campbell extends the blame to others, he still holds

Texans, including Throckmorton, responsible for their part in the failure of Reconstruction in Texas.

Gregg Cantrell also attempts to reevaluate the failure of Reconstruction in Texas between 1867-1868, primarily by examining the period following Throckmorton's removal from office. Using statistical analysis, Cantrell states that "racial violence during the two crucial years of Texas Reconstruction was indeed closely associated with political developments." According to Cantrell, the majority of white Texans were "embittered or upset with the course of Reconstruction politics" and therefore much of the violence perpetrated against the freedmen resulted from the Anglos' "hostility to political conditions."<sup>24</sup> Cantrell does not dismiss the findings of revisionists concerning the presence of racism in Texas; rather, he questions the patterns associated with the racial violence levied against blacks. Therefore, Cantrell can be considered a post-revisionist because he emphasizes that political issues were leading causal factors in the white hostility vented toward the freedmen in Reconstruction Texas. Cantrell does not discuss Throckmorton at length, but his work suggests that Throckmorton's inability to curb violence against the freedmen caused Radical Unionists to place him at the center of the problems in his state and justified his

removal from office.

Richard McCaslin's recent scholarship has provided new insights into the Unionism of the North Texas region. According to McCaslin, many of the residents of Collin County "operated independently of plantation agriculture and slavery, the economic and social foundations of the Confederacy." Instead, the majority of the county's farmers grew wheat or raised livestock.<sup>25</sup> McCaslin's research primarily focuses on the Confederate government's attempts to suppress Union sentiment in North Texas, including the hanging of Unionist sympathizers in Gainesville, the county seat of Cooke County. Nevertheless, Throckmorton, a resident of Collin County and a prominent politician from North Texas, was a central figure in his study. McCaslin is one of the few historians who attempts to explain *why* Throckmorton, a devoted Unionist, condoned and accepted the Confederacy's violent reaction against Unionists in the North Texas region and *why* Throckmorton joined the Confederate military. McCaslin correctly observes that the Confederate authorities' "bloody campaign of suppression" against Unionists and the Confederate deserters in northern Texas was based on issues involving "communal security." McCaslin states that "communal security was a principal concern of nineteenth-

century Southerners, and they frequently used violence against those who threatened the established social and political order." Prior to the war, abolitionists were the primary target of violence in Texas, but "when opposition to disunion became disloyalty to a new regime [Confederate States of America] . . . brutal methods were used against both dissenters and deserters," especially those living in the North Texas region. Communal security dictated that the Confederate authorities could not afford to give safe harbor to their perceived enemies, the Unionists. McCaslin, finds that Throckmorton's concern "for communal security led him to condone these attacks, though he had been one of the most prominent opponents of secession in Texas."<sup>26</sup>

McCaslin provides important insights for understanding the motivations behind Throckmorton's decision to join the ranks of the Confederate military, but like many of the authors writing before him, he fails to capture the essence of the Texas politician's true character. One has to examine Throckmorton's early life in entirety before drawing any definitive conclusions about his personal or political behavior.

Despite being heavily influenced by traditional scholarship, William Richter also deserves to be placed

within the post-revisionists camp. Richter's work focuses almost exclusively on the United States Army and the Freedmen's Bureau in Texas during Reconstruction. Richter contends that most Texans were hostile to military occupation and that the military commanders and Republican politicians were committed to securing political success for the Republican party in the state. Richter remains sympathetic to conservative whites, takes Throckmorton's side in the controversy between the governor and the military authorities, and agrees with traditional scholars that the army unjustly occupied Texas.<sup>27</sup>

Primarily, Richter faults the army for using its power in the state to politically manipulate the Texas electorate in an effort to ensure that the Republican party remained a dominant force in state politics. The author argues that "most Texas Republicans supported the black vote for purely political, not moral, reasons—the Negro vote offered them power." He continues "Republicans relied upon the army, and later the state police, to protect the blacks from attacks by white terrorists."<sup>28</sup> However, Richter finds that despite "political manipulation and private citizens' criticism . . . the army generally conducted itself well in Texas." He explains that the army "defended the frontier as well as might be expected . . . suppressed hostile

groups of brigands, held reasonably fair trials . . . and even administered minor governmental affairs" at the local level.<sup>29</sup>

In his analysis of Throckmorton, Richter concludes that "although Governor Throckmorton agreed that laws were needed to define blacks' place in Texas society, he did not recommend the Black Codes. Neither did he desire the election of rebel senators." Furthermore, he finds that "the governor found himself in the same predicament [as] President Johnson . . . he had headed the ticket that helped elect the legislators, and he could not now repudiate his own state government."<sup>30</sup> Therefore, Richter, like the traditionalists before him, suggests that governor's conflict with the military authorities was motivated less by racism and more by political pragmatism. In this regard, Richter seems incorrect. Even if Throckmorton did not directly call on the legislature to pass the Black Codes, legislators knew his mind on the subject. Evidence suggest that race played a greater part in Throckmorton's governance of the state than Richter is willing to admit.

The previously mentioned scholarship gives a clear picture of how scholars have approached the study of Throckmorton. These studies however are somewhat limited

in their scope as most tend to look at events within the narrow context of Texas history. As a result, very few authors have attempted to place Throckmorton, or for that matter Texas, in the broader historical context of the South and the United States. Therefore, many questions about this nineteenth-century politician and his state remain unanswered: For example, while Throckmorton is important to the history of Texas, what can a study of his life reveal about the South in general? Additionally, what impact did the North Texans' views of race and class have on his political decisions? Answers to these questions, as well as others, can provide scholars a greater understanding of nineteenth-century Texas. Furthermore, such answers have national and global implications. Perhaps, if scholars gain a better understand the undercurrents of racism in the nineteenth-century Texas, they can arrive at a clearer understanding of race relations in the South, the United States, and throughout the world over time. A primary objective of this study is to provide answers and insights to these questions and to explore others that have yet to be asked.

In the pages that follow, the reader is introduced to a detailed analysis of Throckmorton's public career and an explanation of how he fit within the major issues which

emerged at the local, state, and national levels during the latter half of the nineteenth century. Study of this once famous Texas politician allows for a better understanding of how frontier people living on the periphery of southern society experienced and finally came to terms with the revolutionary changes taking place in the United States between 1850 and 1873.

The whiteness of the frontier is particularly important in explaining Throckmorton's life and career. Throughout this period, North Texans dedicated themselves to creating and preserving the white society which developed in the northern region of the state. The story that emerges is one of white settlers struggling to keep blacks and Native Americans from becoming an integral part of their society. In this regard, the North Texas frontier illustrates a common theme in the history of the South, especially in Upper South states where slavery was less significant to economic development of the region. Evidence seems to suggest that North Texas from its inception to the end of Reconstruction was one of the most racist regions in Texas, despite the relatively small African Americans living there before or after the Civil War. Throughout the early development of the Texas frontier, Throckmorton and his neighbors continuously

endeavored to make the frontier a white man's world.

Throckmorton's relationship with the frontier offers the clearest clue as to what motivated him and it has been the most neglected aspect of his life. As an adolescent, he moved to the Texas frontier with his family in the 1840s. Settling into his new home, the future North Texas politician witnessed first hand the brutal warfare waged between Native Americans and Anglos, etching a permanent image in his mind of the hazards of settling a virgin land and instilling within him a racial hatred of non-Anglos. During the Civil War, he mustered into the Confederate service, primarily to protect Texas's northern frontier from the increasing threats of Indian attacks and the potential danger of Union forces crossing the Red River, invading the northern counties of the state. Following the war, General Philip Sheridan, commander of the Fifth Military District, removed Governor Throckmorton from office, in part because of the governor's opinion that the military had failed to provide adequate protection for frontier settlers. Even his support of the railroad industry in Texas was a result of Throckmorton's desire to improve economic conditions along the vast Texas frontier. Thus, frontier life contributed to the development of this North Texan's personal and political character, especially

his views of race, class, and politics.

Attempting to reconstruct and explain the evolution of Throckmorton's racial biases is difficult, especially during his early life. The main obstacle is the limited number of primary sources which directly address the North Texan's views of African Americans and Native Americans. Nevertheless, scholars can gain an understand of the depth of Throckmorton's racism when they examine the type of society that developed in the northern part of the state. For example, despite befriending some of the Native Americans in the region, Throckmorton supported the complete removal of frontier Indians to areas beyond white settlements. In his mind, Native Americans were an obstacle standing in the way of the western expansion of Anglos. The society that Throckmorton and other white migrants envisioned did not include a place for Indians.

Furthermore, Throckmorton's concept of race was closely associated with his disdain for the slaveowning planter class. Between 1850 and 1861, he stood opposed to the encroachment of planters on the North Texas frontier. This is not to say that Throckmorton did not believe in the legitimacy of the *peculiar institution*. According to 1860 census records, he owned one slave.<sup>31</sup> Nevertheless, while accepting of the idea of living in a society with slaves,

he did not want to live in a slave society. Ira Berlin's *Many Thousands Gone: The First Two Centuries of Slavery in North America* explains the subtle, but distinct, differences of these two societies. Societies with slaves were distinguished by the fact "that slaves were marginal to the central productive processes; slavery was just one form of labor among many." Conversely, in slave societies, "slavery stood at the center of economic production, and the master-slave relationship provided the model for all social relations." Berlin continues, "From the most intimate connections between men and women to the most public ones between ruler and ruled, all relationships mimicked those of slavery."<sup>32</sup> Evidence clearly suggests that Throckmorton as well as other North Texans who migrated from the Upper South did not want to be politically or socially dominated by the slaveholding class. The disdain that Throckmorton felt toward the planters was transferred to their slaves. In the minds of the small farmers and non-slaveholding professionals, such as doctors and lawyers, the slaves represented the most visible sign of the planters' wealth and was the vehicle that allowed planters to invade and dominate regions throughout the South. At most, the people of North Texas, including Throckmorton, were willing to accept the presence

of domestic slaves and slaveowners who owned a limited number of slaves.

Party politics was equally important to the frontiersmen of North Texas. Generally speaking, these settlers gravitated toward the Whig party during the late 1840s and early 1850s, because the party offered them an alternative to the southern Democratic party which was dominated by the planter class. The Whig party also supported many of the issues that were essential to the continued existence of their societies. For example, the Whigs tended to support government subsidized internal improvements, a proposition that promised to connect frontier areas removed from navigable rivers with distant markets. Because North Texas was void of navigable rivers, the settlers in this region knew that railroad development was paramount to their future economic prosperity. Additionally, Whigs tended to be strong advocates of the Union. This was particularly important to the people of the frontier who were more nationalistic in their ideological beliefs than their slaveholding counterparts. For the frontiersmen, the Union represented a safe harbor from planter dominance. Even after the Whig party ceased to exist in the 1850s, the settlers continued to exhibit an affinity for the Union. For example, during the secession

crisis in 1861, many voters in North Texas cast ballots against secession. For them secession promised to ensure planter dominance in both the state and national governments of the Confederacy, a proposition they had struggled against since first moving to Texas.

In an effort to test the continuity of major issues and themes in Texas' past, this study will examine a broad spectrum of Texas history. It will attempt to traverse three major periods in the state's past—the antebellum, Civil War, and Reconstruction eras—and explain Throckmorton's evolution as a frontier politician. Because race is an integral part of Throckmorton's life, it will be discussed in detail here. However, the discussion of race that follows will differ from the revisionist scholarship that has tended to focus on the problems confronting minority groups in southern society. This study will not directly focus on how racism impacted the lives of African Americans or Native Americans. Rather, racism will be explained from the perspective of the white settlers. That is to say, this study will attempt to explain how whites living in North Texas constructed their concept of race and used it to protect the whiteness of their frontier society. In this manner, the study will follow the trends established by scholars who study race and ethnic relations

from the perspective of whiteness. The study of whiteness offers a new and unique approach to this topic, because it reverses the traditional focus of research on race relations by concentrating attention upon the socially constructed nature of white identity and the impact of whiteness upon intergroup relations. While studying the problems that minorities faced remains important to the understanding of race relations, it is also necessary to understand how whites formed their opinions of race and why they embraced the concept of white supremacy. As this study reveals, racism in the frontier stemmed from whites' fear of losing control of their social, economic, and political institutions. Though focusing on whiteness, this study is not a defense of white attacks on minority groups, nor is it intended to be a justification for white supremacy. Instead, this study is an attempt to understand the roots of an age-old problem that traverses space and time and still plagues society today. Perhaps, a clearer understand of the origins of frontier racism and white supremacy in the mid-nineteenth century will provide new insights into solving racial conflicts in modern America.<sup>33</sup>

## Endnotes

1. Claude Elliott, *Leathercoat: The Life of James W. Throckmorton* (San Antonio: Standard Printing Co., privately printed, 1938), xi. Texas Indian tribes gave Throckmorton the moniker "Leathercoat" when he served as an Indian agent for the Confederate government during the latter months of the Civil War.

2. Ibid.

3. Ruby Crawford Holbert "The Public Career of James Webb Throckmorton, 1851-1867" (M.A. thesis, University of Texas, 1932); Arlene Harrison, "J. W. Throckmorton's Administration" (M.A. thesis, East Texas State University, 1971).

4. Holbert, "The Public Career of James Webb Throckmorton, 1851-1867," 118.

5. Harrison, "J. W. Throckmorton's Administration," iv.

6. For views expressed by the Dunning School in Reconstruction historiography see: William A. Dunning, *Reconstruction, Political and Economic, 1865-1877* (New York: Harper & Brothers, 1907); Walter Fleming, *Civil War and Reconstruction in Alabama* (New York: P. Smith, 1949); and Joseph Grégoire de Roulhac Hamilton, *Reconstruction in North Carolina* (New York: Columbia University, 1914).

7. Charles W. Ramsdell, *Reconstruction in Texas* (Austin: University of Texas Press, 1910, reprint 1970), 167-168.

8. Ibid., 168.

9. Ibid., 150.

10. William C. Nunn, *Texas Under the Carpetbaggers* (Austin: University of Texas Press, 1962), 8-9.

11. Ernest Wallace, *Texas in Turmoil, The Saga of Texas Series* (Austin: Steck-Vaughn Company, 1965), 186-187. Wallace's book was one of six books published in the Saga of Texas Series. The series was designed to cover the broad scope of Texas history from 1519-1965. The books in this series were primarily written as popular history accounts of the state's past with the target audience being the general public rather than academicians. Wallace devotes adequate attention to Throckmorton in his study, which covered the story of Texas from 1850 to 1875. However, just as Elliott's *Leathercoat* had done over two decades before, Wallace covers the bare facts of Throckmorton's contribution to Texas history, failing to discuss the motivations, aspirations, and flaws of the controversial governor. Two other books in the series which should have devoted considerable attention to Throckmorton, but failed to do so, were Seymour V. Connor's *Adventure in Glory* (Austin: Steck-Vaughn Company, 1965) and Billy M. Jones's *The Search for Maturity* (Austin: Steck-Vaughn Company, 1965). Connor makes no mention of Throckmorton in his discussion of the controversies surrounding the Peters Colony, and Jones, whose work covers Texas

during a time when Throckmorton was politically actively involved in state and national politics, only mention's his name in passing three times in the entire study. The oversight of these historians clearly represents how little is known of Throckmorton's life and political career both before and after the period of Reconstruction in Texas.

12. John Pressley Carrier, "A Political History of Texas During the Reconstruction, 1865-1874" (Ph.D. diss., Vanderbilt University, 1971), 26.

13. James Smallwood, *Time of Hope, Time of Despair: Black Texans During Reconstruction* (Port Washington, New York: Kennikat Press, 1981), 130.

14. Carl Moneyhon, *Republicanism in Reconstruction Texas* (Austin: University of Texas Press, 1980; reprint, College Station: Texas A&M University Press, 2001), 28.

15. Barry Crouch, *The Freedmen's Bureau and Black Texans* (Austin: University of Texas Press, 1992), 25-26; Barry Crouch, "'Unmanacling' Texas Reconstruction: A Twenty-Year Perspective," *Southwestern Historical Quarterly* 93 (January 1990), 283.

16. Dale Baum, *The Shattering of Texas Unionism: Politics in the Lone Star State During the Civil War Era* (Baton Rouge: Louisiana State University, 1998), 149.

17. *Ibid.*, 149.

18. *Ibid.*, 159-160.

19. Walter Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 1981), 63.

20. Randolph Campbell, "The District Judges of Texas in 1866-1867: An Episode in the failure of Presidential Reconstruction," *Southwestern Historical Quarterly* 93 (January 1990), 357-77.

21. *Ibid.*, 358.

22. *Ibid.*

23. *Ibid.*

24. Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas, 1867-1868," *Southwestern Historical Quarterly* 93 (January 1990): 337.

25. Richard McCaslin, "Wheat Growers in the Cotton Confederacy: The Suppression of Dissent in Collin County, Texas, During the Civil War," *Southwestern Historical Quarterly* 96 (April 1993): 526-39, 527.

26. *Ibid.*, 527-528; For a detailed analysis of the Confederate reaction against the Unionists of North Texas see Richard McCaslin's *Tainted Breeze: The Great Hanging at Gainesville, Texas 1862* (Baton

Rouge: Louisiana State University Press, 1994).

27. William Richter, *The Army in Texas During Reconstruction, 1865-1870* (College Station: Texas A&M University Press, 1987); To see Richter's view of the Freedmen's Bureau look at *Overreached on All Sides: The Freedmen's Bureau Administrators in Texas, 1865-1868* (College Station: Texas A&M University Press, 1991).

28. Richter, *The Army in Texas During Reconstruction*, 190.

29. *Ibid.*, 188-189.

30. *Ibid.*, 62.

31. United States Bureau of the Census. *Eighth Census of the United States, 1860: Schedule I and II*. National Archives, Washington, D.C.

32. Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge: The Belknap Press of Harvard University Press, 1998), 8.

33. For a more thorough discussion of whiteness studies see Peter Kolchin, "Whiteness Studies: The New History of Race in America," *Journal of American History* 89 (June 2002): 154-73; Ashley Doane and Eduardo Bonilla-Silva, eds., *White Out: The Continuing Significance of Racism* (New York: Routledge, 2003); Gerhard Schutte, *What Racists Believe: Race Relations in South Africa and the United States* (Thousand Oaks, California: Sage Publications, 1995); Valerie Babb, *Whiteness Visible: The Meaning of Whiteness in American Literature and Culture* (New York: New York University Press, 1998).

## CHAPTER II

## THE FOUNDATIONS OF A FRONTIER POLITICIAN, 1825-1850

James Webb Throckmorton and his family crossed the Red River into Texas in April 1841. James was sixteen years old at the time, and like most young men his age, he probably fantasied about life on the rugged Texas frontier. As the Throckmorton family entered Fannin County, James' mind surely raced with thoughts of bloody encounters with Indian warriors, the thrill of hunting and exploring in virgin woods, the pleasure of fishing in gentle flowing streams full of large fish, and perhaps even the endless possibilities that were afforded to young men living in a republic where unbridled economic opportunities abounded. Regardless of what young Throckmorton pondered as he crossed the border, he could not have envisioned the path that his life would take over the course of the next fifty years. He was destined to become a veteran of two major wars, a frontier ranger involved in several Indian battles, a successful doctor and lawyer, a prominent state politician, and a member of the United States Congress.<sup>1</sup>

James's father, William E. Throckmorton, began his westward journey from Virginia after graduating from medical school in 1817. Having briefly practicing medicine

in his home state for less than a year, Throckmorton migrated to Kentucky where he married Susan Jane Rotan on December 10, 1818. In 1821, the couple moved from Kentucky to Sparta, Tennessee, where they lived for several years before moving twice more, first to Illinois and then to Fayetteville, Arkansas.<sup>2</sup> The historical record does not reveal why Dr. Throckmorton moved westward, but it is reasonable to assume that his journey was sparked by the same motivating factors that caused other settlers to make similar treks across the Midwest. The majority of these early pioneers went west seeking opportunities to settle and own virgin farmlands. Others moved to escape areas which were heavily populated with slaves. A minority of migrants, especially doctors and lawyers, hoped to profit by providing professional services to the people living in the western frontiers of the United States. Given that William was a practicing physician, it is likely that he believed the western states were ideal for establishing his medical practice.<sup>3</sup>

While Dr. Throckmorton probably left the Upper South for economic reasons, it was just as likely that he continued to migrate westward to escape the political and social dominance of slaveholding planters. His move from Tennessee seems to correspond with the growth of slavery in

the Upper South between 1820 and 1840. During this period, slavery became increasingly important to the economy of Tennessee, especially in the middle and western portions of the state. With the growth of slavery in the state, farmers and non-slaveholding professionals, such as lawyers and physicians, believed that the planters would soon transform Tennessee from a society with slaves to a slave society. The difference was significant for the non-slaveholding population. Though most Tennesseans believed in white superiority and accepted the practice of slavery as a result of black inferiority, they were not willing to give up political and social control of their society to the planters who owned the bondsmen. As a result, many of the non-slaveholding elite and farmers left the state and continued to move westward seeking a place where they could forge a society free of planters and their chattel.<sup>4</sup>

Throckmorton and his wife had a total of eight children, five of which survived to adulthood. The three children who did not survive, punctuating the difficulties and harsh realities associated with childbearing in the nineteenth century. The couple's fourth child, James Webb, was born on February 1, 1825, in Sparta, a small town located along the Calf Killer River.<sup>5</sup>

William and Susan Jane moved to Illinois for a brief

time and then relocated in Arkansas sometime after the birth of their fifth child, Robert Middleton, in 1836. Unfortunately, the move to Arkansas ended in tragedy for the family. Susan died on December 28, 1838, just a little over a year after giving birth to her eighth child, Nancy Hampton. While the frontier doctor and his children were no strangers to the loss of loved ones, Susan's death proved to have dire consequences for William's family, especially young James.<sup>6</sup>

Following his wife's death, Dr. Throckmorton concluded that he could not properly care for his three youngest children and sent them to live with friends of the family in Carthage, Tennessee. Between 1836 and 1841, James, his brother Robert, and his sister Nancy lived with William Bowman Campbell and his wife, Francis, who raised the children as if they were their own. In fact, William and Francis offered to adopt them, but the Arkansas doctor was unwilling to give up his sons and daughter and called for his children to rejoin him in 1841 as he prepared to relocate in Texas.<sup>7</sup>

William B. Campbell was a noted Tennessee politician by the time that the Throckmorton children came to live with him. His path to notoriety was similar to that of other frontier political leaders in the Upper South. Like

many of his Tennessee colleagues, Campbell was a lawyer. For nearly two years after being admitted to the state bar in 1829, he had maintained a thriving law practice in Carthage, Smith County. Beginning in 1831, the Tennessean also served as the state's district attorney until the people of Smith County elected him to the state legislature in 1835. Campbell remained a member of that body until 1836. His constituents must have been impressed with his record at the state level because in 1837 they sent him to the United States Congress, where he served as a representative until 1843.<sup>8</sup> Even though evidence of their relationship is limited, it is certain that the Tennessee sage introduced J. W. Throckmorton to the Whig party and provided the youth with a political foundation which remained with him for the rest of his life.

The Whig party was still in its developmental stages at the time when Throckmorton fell under its influence. The party could trace its beginnings to the early 1830s when the opponents of President Andrew Jackson's style of leadership in the White House created a strong political alliance to challenge Jacksonian Democrats in local, state, and national elections. In conjunction with their initial organizing efforts, members of this *opposition* party began to call themselves Whigs, a moniker which was associated

with the anti-monarchists in eighteenth-century English politics. The name was well suited for the party considering that the Whigs often referred to President Jackson as "King Andrew" because of his alleged usurpation of power in the federal government. According to the Whigs, the threats posed by the Jackson administration were personified in the president's declared war on the Bank of the United States, his apparent disregard for Supreme Court decisions and the Constitution, his frequent use of the veto, and his aggressive stance toward South Carolina during the nullification crisis of 1832-1833. Thus, the Whigs embraced an ideological mission of saving traditional American liberties and the Founding Fathers' experiment in a republican self-government.<sup>9</sup>

However noble their cause, the Whigs often found it difficult to convince the American public of the merits of their ideological mission. As a national phenomenon, Whigs remained relatively weak until the late 1830s at which time party members were successful in blaming the depression following the Panic of 1837 on their Democratic adversaries. The 1840s proved to be the heyday of the Whig party. While remaining committed to the principles of republicanism, Whigs began to challenge the Democrats over controversial partisan issues, such as economic policies,

territorial expansion, the Mexican War, and the extension of slavery in the western territories. When events in the 1850s, such as the Compromise of 1850, reduced or even ended partisan conflict over these issues, the Whigs resorted back to their ideological roots and positioned themselves once again as the defenders of the republican form of government and American liberties. However, Whigs were no longer concerned with executive tyranny as they had been when Andrew Jackson and his hand-picked successor Martin Van Buren occupied the White House. The new threats that they confronted were multifaceted, but primarily rested upon the division in the country over slavery and its expansion westward.<sup>10</sup> Beginning in the early 1850s, slavery not only divided party membership along the Mason-Dixon Line, but it also drove a wedge between southern Whigs as well. Southern Whigs included prosperous slaveowners, merchants, and professional men. Though most Whigs in the South agreed that slavery was a legitimate labor system, the faction of professional men who did not own slaves believed that slaveowners would eventually dominate the political and social institutions of their section if left unchallenged: Non-slaveholding southerners feared becoming "white slaves" of the planters. In other words, they feared that the planter class would control the

political affairs of the southern states and would pass legislation favorable to slaveholders and derogatory to those individuals who did not own slaves. This was unacceptable to Whigs who embraced the traditional concept of republicanism. As a result of the divisions caused by the slavery issue, the Whig party slowly withered until it ultimately died in the mid-1850s.<sup>11</sup>

Nevertheless, during the time when James Throckmorton lived in the Campbell household, the Whig party enjoyed a large measure of success in the Upper South, especially in Tennessee and Kentucky. Whig politicians and voters in this region of the South seemed to embrace the principles that Henry Clay espoused in his American System. Like Clay, party members contended that commercial progress and economic interdependence between the various sections of the country benefitted the country as a whole. Generally speaking, Upper South Whigs were businessmen and professionals who supported economic growth through the nationally chartered banks, federal funding of internal improvements (especially railroad development), and the Congressional tariffs which Whigs deemed necessary for raising sufficient capital and generating industrial growth. Because they supported Clay's American System and their devotion to the republican form of government, Whigs

tended to be staunch conservatives and steadfast advocates of the Union. As a result, Upper South Whig supporters frowned upon radical political movements which threatened to divide the United States along sectional lines. Therefore, Upper South Whigs were often critical of the abolitionists in the North as well as pro-slavery extremists in the South.<sup>12</sup> William B. Campbell was a Whig of the Upper South stripe, and young James Throckmorton followed closely in his mentor's footsteps.

William E. Throckmorton, who remained in Arkansas after sending his children to Tennessee, recovered from the death of his first wife and began to court Malinda Clements. Though Malinda was 28 years younger than her suitor, the couple were married on January 24, 1841.<sup>13</sup> Being more secure in his ability to take care of a family, William sent for his children to join him and his new bride. With his family reunited, Throckmorton decided to relocate once again, moving this time to the Republic of Texas. The Lone Star Republic had won its independence from Mexico in 1836 and now held endless economic opportunities for men who were willing to brave the elements of a wild frontier. William immediately recognized the potential gains that could be made by migrating to Texas: First, he realizing that doctors would

be in great demand in frontier settlements. Second, he knew that earlier pioneers could make substantial financial gains from land speculation, especially buying and selling town lots. Thus, William left word with friends and family that he was GTT: Gone To Texas.

The Throckmorton family crossed the Red River and entered the northern part of Fannin County in April 1841. They remained in the small community of Warren for several months while waiting to secure headright grants for lands further in the interior of the Republic. Once these grants were secured, William and eight other men moved in a southwestern direction to an unsettled area along the eastern banks of the Trinity River. Throckmorton proposed creating a settlement near the present-day town of McKinney, but his companions disagreed with him and decided that they should settle a section of land along Rowlett Creek.

Dissatisfied with the group's plan, Throckmorton returned to Warren where his family was waiting for him. In December 1841 he secured a conditional headright certificate for lands on the banks of the Trinity River from the Board of Land Commissioners of Fannin County. With his new grant in hand, William and another small group of settlers, including the families of Thomas Rattan, Hogan

Witt, and John M. Kincade, set out to settle their new claims. However, after arriving at the locale, they discovered that other pioneers had already settled on their lands. Pleasant Wilson, who was serving as a guide to Throckmorton and the others, suggested that the group retreat to the eastern fork of the Trinity River and build their homes near its banks. Following Wilson's advice, the families decided to settle an area northeast of the present-day town of McKinney along a creek which was named Throckmorton Creek in honor of their leader. Their settlement constituted one of the earliest Anglo communities in present-day Collin County.<sup>14</sup>

The families who moved into North Texas faced many hardships in their new frontier surroundings. They had to overcome the daunting task of preparing their lands for farming, building new homes, and defending themselves from Indian raids. The first two tasks were made easier by the fact that the soil was fertile and well suited for agriculture.<sup>15</sup> The land also provided the settlers with an ample supply of timbers for building new homes and barns. Additionally, the surrounding forests were teeming with an abundance of wild game which offered an endless source of sustenance for the new inhabitants of the region.<sup>16</sup> However, the threats of raiding Indians proved more

troubling for the new settlers.

One of the most devastating Indian attacks in the region occurred in 1842. The families of Wesley Clement and Peg Whistler built a small settlement approximately eight miles north of Throckmorton's home, known as Fort Throckmorton because surrounding settlers tended to congregate there when threats of Indian raids seemed eminent. As Clement and his companions were cutting logs to finish work on their cabins, an unidentified group of Indians attacked and killed them. The wives and children of the men watched the brutal attack from the Clements' cabin. One of the women had attempted to take a gun to her husband, but the attackers forced her to retreat back to safety of her home. The natives moved toward the settlers' house but were turned away when the women fired several shots in their direction. The female defenders remained in the cabin until nightfall, and then they went to the side of their fallen men. After assessing their circumstances, the women decided that Catherine Clements and her children would remain with the slain bodies during the night to keep them from being devoured by wild animals while Mrs. Whisler walked to Ft. Throckmorton to seek help from other white inhabitants in the area. The following day, Dr. Throckmorton with the aid of other settlers rescued Mrs.

Clements and recovered Wesley and Peg's bodies. The slain men were interned in a cemetery near Dr. Throckmorton's home.<sup>17</sup>

The Indian raid undoubtedly was etched into James Webb Throckmorton's mind, especially considering that Wesley Clements was his step-mother's brother. Also, the attack served to strengthened young Throckmorton's resolve to protect the settlers in the region from future raids. Between 1842 and 1843, he served as a member of Captain Jesse Stiff's ranger company which patrolled the North Texas region guarding against future Indian depredations. Despite his age, James eventually became a sergeant of a company of sixteen men from Fannin County. Perhaps because of his family's personal loss or maybe as a result of his experiences as a frontier ranger, J. W. Throckmorton dedicated the remainder of his life to protecting the settlers living on the frontier.<sup>18</sup>

Within a year of the attack on Wesley Clements home, Throckmorton suffered another personal loss which would eventually lead the young frontiersman to leave the wilds of Texas for the more civilized streets of Princeton, Kentucky. His father died on October 2, 1843, and was buried near the bodies of Wesley Clements and Peg Whisler. For a brief time the responsibility of taking care of his

family fell on Throckmorton's shoulders, but he was soon relieved of this familial burden when his step-mother remarried in 1844.

Free of his obligations, the youthful adventurer left the harsh environment of North Texas and went to Kentucky to study medicine with his uncle, Dr. James E. Throckmorton. He stayed with his father's older brother for approximately two years during which time he studied medicine at Cumberland College in Princeton. Throckmorton's decision to become a physician was not a result of a personal affinity for the profession, but rather from the great admiration he had for his father and from the constant prodding of his uncle.

Throckmorton learned more than the medical profession while living in the Bluegrass State. His conservative political, social, and economic views were forged by the culture of the Upper South.<sup>19</sup> Until his return to Texas in 1846, the young frontiersman had spent all his life in the Upper South states of Tennessee or Kentucky with the exception of the two years that he had lived in North Texas.<sup>20</sup>

While Throckmorton was studying medicine in Kentucky, Texas came to a diplomatic crossroads. Immediately after winning their independence from Mexico in 1836, a majority

of Texans called for the annexation of their newly formed republic to the United States. They realized the economic potential that annexation held for their fledgling country: The United States would provide them with military protection from the threats of an invading Mexican army on their southern border and marauding Indian tribes along the western frontier. Annexation also held the promise of greater economic security and development which would ultimately result from increased migration into Texas from the United States.<sup>21</sup>

Even though the majority of white Texans agreed that annexation was in the best interests of their homeland, American sentiments were divided over the issue. Generally speaking, the divisions in the United States followed sectional lines. Southern slaveholders and land speculators hoped to profit from the fertile lands of East Texas, especially along the numerous navigable rivers inside the borders of the republic. Southern planters also welcomed the idea that Texas could potentially increase the South's influence in the federal government, thus aiding in their efforts to secure slavery where it already existed and to extend the peculiar institution in the western territories where its propagation was in question. John C. Calhoun, senator from South Carolina and a prominent

spokesman of the South, clearly defined the motivations of most southern planters in his public pronouncement that the annexation of Texas was necessary for the continued expansion of slavery.<sup>22</sup>

People in the North did not harbor the same views as their brethren in the South. Annexation of Texas provoked staunch resistance primarily from three groups: northern abolitionists, Free Soilers, and northern Whigs. Countering the arguments of men like John C. Calhoun, both the abolitionists and the Free Soilers strongly opposed adding the republic to the Union. They could not consciously justify the extension of slavery or its continued existence in their nation. In this regard the abolitionists and Free Soilers seem to have been socially and politically in step with antislavery movements outside the United States, especially in the British Empire where slaves were emancipated in the early 1830s. Thus, the annexation of Texas reopened debate over the institution of slavery, an issue which had plagued the country from its inception.<sup>23</sup>

Politicians in the Upper South, tended to be more temperate in their opposition to the annexation of Texas, especially members of the Whig party. Attempting to avoid the controversial sectional issue of slavery, the Whigs and

moderate Democrats opposed annexation on the basis that it would ultimately lead to war with Mexico, which still had not formally recognized the independence of Texas. The Whigs understood that a rift between its southern and northern party members would develop if slavery became an issue in future elections and that such divisions could potentially destroy their party.<sup>24</sup>

Even though the opponents of annexation were successful in defeating an annexation treaty in the U.S. Senate in April 1844, they failed to prevent the Republic of Texas from joining the Union the following year. After the Democratic candidate for U.S. President, James K. Polk, won his presidential bid on an expansionist platform in November 1844, the question of annexation was squarely placed before the United States Congress once again. Riding the tide of expansionism, John Tyler, the outgoing president, proposed that annexation of Texas should be placed before Congress as a joint resolution, thus requiring only a majority vote in both houses of Congress rather than the two-thirds vote needed in the Senate for approval of a treaty which annexationists had failed to win in previous attempts. The joint resolution quickly gained a favorable vote in both houses, and President Tyler signed the bill on March 1, 1845.<sup>25</sup> The spirit of manifest destiny

proved too strong for its opponents to overcome and the United States moved to officially annex the Lone Star Republic.

Congress's resolutions for annexation were extremely favorable to the people of Texas. Congress offered to admit the republic as a single state in the Union but with the option of dividing its vast lands into as many as four additional states in the future. The state would also be allowed to retain possession of its public lands which could be sold to help pay off its existing public debt. Additionally, the United States government agreed to assume responsibility for resolving the outstanding boundary disputes between Texas and Mexico regarding the southern and western borders of the state.<sup>26</sup>

Anson Jones, the newly elected President of the Republic of Texas, called for a special session of the Texas congress in June 1845 to consider the United States' annexation offer. At the same time, a constitutional convention convened and produced a state constitution which along with the issue of annexation was placed before the citizens of Texas in a referendum. Voters overwhelmingly supported the new constitution and annexation. After reviewing the Texas constitution, the U.S. Congress accepted it, and President Polk signed the Texas Admission

Act on December 29, 1845, officially making Texas the twenty-eighth state of the Union.<sup>27</sup>

Just as Whig politicians had warned, many Mexican leaders were enraged that the United States had annexed territory that the Mexican officials believed still belonged to their country. While diplomatic relations between the two countries deteriorated, President Polk continued to pressure Mexico to recognize the Rio Grande River as the southern border of Texas. Polk ordered American soldiers under the command of General Zachary Taylor to assume a defensive position near the Rio Grande; but, because northern politicians did not favor a war, the president attempted one final effort to reach a diplomatic solution with Mexican authorities.

The primary conflict between the two countries was over the disputed territory between the Nueces and Rio Grande rivers. The Mexican government considered the Nueces River as the southern most boundary of Texas, while the United States argued that the Treaty of Velasco established the Rio Grande as the legitimate border between Mexico and Texas. In an effort to resolve the issue diplomatically and to gain additional territory in Northern Mexico, President Polk sent John Slidell to Mexico City with authorization to offer the Mexican government thirty

million dollars for the New Mexico and California territories and to push for formal recognition of the Rio Grande as the official border between the two countries. Mexico promptly rejected the offer, and Slidell returned to the United States in March 1846.<sup>28</sup>

With many northerners opposed to a war with Mexico, Polk's hands seemed to be tied, however, on May 9, 1846, the president received word from Texas which proved to be politically advantageous to his cause. A Mexican cavalry unit in late April engaged General Taylor's men in a brief skirmish along the Rio Grande border. Despite the fact that this skirmish had taken place in disputed territory, Polk addressed the U. S. Congress and asked them for a formal declaration of war. The president in dramatic fashion stated, "Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood on American soil. She has proclaimed that hostilities exist and that the two nations are now at war."<sup>29</sup> After a few days of deliberation, Congress agreed with Polk's assessment of the events in Texas and issued a war resolution against Mexico.<sup>30</sup>

James W. Throckmorton had returned to Texas by the time the Mexican War erupted. Possessing the same adventurous spirit that had prompted his father to move

westward, he joined a company of volunteers from Collin County on February 2, 1847. The company was mustered into Captain Robert H. Taylor's Company B, Texas Mounted Volunteers, at San Antonio later the same month. Along with two other companies of Texas Rangers, Captain Taylor's company remained in San Antonio until Antonio Canales, a Mexican rancher turned freedom fighter, declared all-out guerilla war against American troops stationed in northern Mexico on April 4, 1847. Following Canales pronouncement, Texas Ranger Mike Chevallie, a close friend of Captain Jack Hays, gathered up the Ranger companies stationed at San Antonio with the intention of moving south to engage the enemy. As was customary with the volunteer units, an election was held, and the men elected Chevallie as their commander. Chevallie and his men rode to the garrison at Camargo, Mexico, reaching their destination on April 23. Two days later the group proceeded to Monterey where the men were officially designated as Chevallie's Battalion and placed under the command of General Wool at Saltillo. During these early months the men saw only sporadic action primarily defending themselves from Mexican bandits and Indians along their way to join Wool's command.<sup>31</sup>

The trip between San Antonio and Mexico proved difficult for many of Captain Taylor's troops. A number of

the men became too sick and tired to continue the march to Mexico and were left behind in the desert to fend for themselves. Relying on his medical skills, Throckmorton requested to stay behind with these men in an effort to keep them alive. The volunteers' condition slowly deteriorated as they ran out of water and food. Just when all seemed lost, George Wilson, another volunteer from Collin County, ran across the ragged group. Many years after the incident, Wilson recalled finding these men in the desert. He stated "I carried a large can of water in my wagon. It was a great ten-gallon can. Well, sir, one day I was driving across the sandy waste, southwest of San Antonio, when I came across a lot of sick men." Wilson continued, "As soon as I yelled I saw Jim Throckmorton coming toward me. Throckmorton carried the water to the men, never touching a drop for himself until all the others had gotten enough." Wilson also recalled that "the men told me that Throckmorton had given every drop of water out of his can to the sick . . . and had gone days without any food."<sup>32</sup> Throckmorton had treated his fellow soldiers honorably, but this incident took a toll on the young physician's health. While evidence is thin, it appears that Throckmorton never rejoined his battalion as failing health forced him to accept a medical discharge at Camargo

on June 8, on a surgeon's certificate of disability.<sup>33</sup> After just five months of military service, Throckmorton began the long journey home.

The North Texan returned to Collin County after receiving his discharge from Chavellie's Battalion, apparently he was still well enough to travel.<sup>34</sup> Throckmorton established a medical practice near the town of McKinney and soon after began to court Ann Rattan, the daughter of Thomas and Gilean Rattan of Carrollton, Illinois. The Rattan and Throckmorton families moved to the Texas frontier at about the same time, and it is probable that James became smitten with Annie before moving to Kentucky to study medicine with his uncle. Regardless of when they met, the couple along with other members of the Rattan family traveled to Greene County, Illinois, where the two exchanged wedding vows on January 20, 1848. Following their wedding, the newlyweds returned to Collin County where Throckmorton continued his medical practice. The couple resided in the county the rest of their lives.<sup>35</sup>

Annie Throckmorton was the epitome of frontier women. One twentieth-century journalist stated that her "disposition was even and lovely-if anything, too utterly unselfish and self-sacrificing. She was religious without being fanatical, living rather than talking her religion."<sup>36</sup>

The early years of her life on the frontier must have been difficult for Ann; she not only gave birth to ten children in the isolation of North Texas wilderness, but her husband who was one of the only doctors in the Collin County area was often away from home for several days at a time on professional calls. Not only did Mrs. Throckmorton have to take care of her family during her husband's absence, but she had to cope with unanticipated dangers commonly experienced on the frontier.

One incident in Annie's life reveals both her personal courage and the unusual circumstances of life on the periphery of Anglo civilization. Early one morning as dawn broke, Annie noticed in the distance an approaching group of Indians. While she knew that her husband had developed friendly relationships with nearby tribes, she was chilled to the bone when the chief of the tribe bent over and lifted her baby from the cradle and gently held him in his arms. Years afterwards Ann was reported to have said of the episode, "I thought I should die of fear and loathing, yet for peace's sake it must be endured."<sup>37</sup>

Annie also helped her husband care for his patients. If one of the doctor's patients required long term treatment, he brought the individual to his house. The Throckmorton home was frequently used as a make-shift

hospital, especially when great distances made it impossible for Dr. Throckmorton to care for his patient on a daily basis. Mrs. Throckmorton recalled one case which involved a little girl who was almost blind. The young patient was brought to the doctor's home for treatment. Because light seemed to irritate her eyes, the little girl was confined to a bed in a dark room for more than a month. The entire time, Annie nursed and cared for the girl's every need. After about two months, her husband decided that the child was well enough to go back home, but when her parents arrived to pick her up, she grabbed Mrs. Throckmorton by the neck and began screaming that she did not want to leave. Despite her heartfelt pleas, the parents took their daughter home with them. However, the girl continued to grieve and cry so much that she once again developed problems with her vision. As a result, her parents brought their daughter back to the Throckmorton residence where she remained for almost a year before Annie could persuade her to return home.<sup>38</sup> This was the life of a frontier doctor's wife.

Throckmorton continued to work as a physician for more than a year, but the strain of taking care of patients throughout the county began to take its toll on his health. Also, he did not possess his father's ardor for the medical

profession. Thus, the young frontier doctor made a fateful decision to pursue a career in politics. While many men changed their occupations in the fluid society of nineteenth-century America, this decision must have been extremely difficult for the North Texan, because it meant abandoning the path that his father and uncle had prepared for him. Not only did Throckmorton have to overcome emotional ties to the profession, but he was also worried whether or not he could take care of his family on a politician's salary. As a result, the North Texan decided to engage in an occupation that was typically seen as a stepping stone to a viable political career: He became a lawyer. While continuing to practice medicine on a limited scale, Throckmorton studied law in 1849 and was admitted to the Texas bar the following year. During this time, he also became involved in local politics.<sup>39</sup>

One of the most controversial political issues affecting Collin County in the late 1840s and early 1850s was centered on conflicting land claims between settlers and the colonizing company of the ill-fated Peters Colony. The history of the Peters Colony began when Texas was still a republic. About the same time the Throckmorton family arrived in Texas in 1841, the Fifth Congress of the Republic of Texas began rethinking their nation's land

policies. Just as in previous congressional meetings, the Fifth Congress realized that land donations were necessary to entice settlers to migrate to their country. These settlers were deemed vital to the future stability and prosperity of the republic. However, unlike earlier congresses, the Texas government believed that granting headrights to settlers was not sufficient enough to bring new immigrants into the country. Therefore, the Fifth Congress turned to the old Mexican empresario system in an effort to promote a greater migration to Texas. The congressmen considered three immigration bills in 1841: the Franco-Texienne bill, the Ben Fort Smith bill, and the Peters Colony bill. Of the bills proposed, only the Peters Colony bill passed both houses of Congress on February 4, 1841.<sup>40</sup>

The promoters of the Peters Colony consisted of twenty men, eleven from England and nine from Louisville, Kentucky. None of them had been to Texas or were qualified to fulfill the state's directives for settling the colony. The primary leader of the colonizing effort was William S. Peters, a music teacher who had migrated to Louisville from England. Peters, along with his three sons who were also musicians, and a group of friends in England proposed the colonizing venture on a whim: The plan of idle dreamers

unsuited for the task of settling the frontier.<sup>41</sup>

The law of February 4, 1841, authorized the administrators of the colony to settle 600 families in an area between the Trinity and Red rivers. Each family moving into the colony was to receive a free grant of 640 acres of land. As payment for their administrative duties, the company received 60 sections of premium land for each family that moved into the colony.<sup>42</sup> The Kentuckians eventually organized themselves into the Texas Agricultural, Commercial and Manufacturing Company and sold a few shares of stock, but they failed to attract any measurable number of settlers to their colony during their first year of operation. Despite the company's uneventful beginnings, W. S. Peters and his business partners eventually brought some 10,000 to 12,000 people into the North Texas region before 1850. Many of these settlers came from states of the Ohio Valley, the northeastern part of the United States, and the Upper South.<sup>43</sup> Unfortunately for the Peters Colony, the administrators of the colony never effectively lived up to their responsibilities, and the colony continued to be plagued with controversy until the time it was dissolved in 1852.

In May 1849, James W. Throckmorton became actively involved with a movement to protect the rights of settlers

against the owners of the Peters Colony grant. Primarily due to its inept leadership, the company had failed to provide the settlers with free and clear titles to their lands. The people of Collin County chose Throckmorton as one of their delegates to a meeting in Dallas which was called by the people living in the Peters and the Mercer colonies for the expressed purpose of writing a memorial to the state legislature.<sup>44</sup> The settlers hoped that their memorial would convince the legislators to recognize the legitimacy of their claims, something that the companies' agents were unable or unwilling to do.<sup>45</sup>

Two aspects of this meeting were important to Throckmorton's future political career: First, the North Texan had the opportunity to associate with men who were quickly rising to political prominence in the state, such as the noted lawyer and politician from Henderson County, John H. Reagan. Second, this meeting was one of the first times that the Collin County doctor had an opportunity to formulate and express his political views. It is clear from printed proceedings of the convention that Throckmorton, like other frontier politicians of his day, positioned himself as the defender of the people's rights. This event marked the beginning of James Webb Throckmorton's political career.

Once the convention settled, the delegates elected officers. Throckmorton was chosen to serve as the secretary for the convention. He was also appointed to a committee which was charged with the duty of writing a memorial that expressed the objectives and wishes of those assembled at Dallas. The committee called on the state legislators to give the settlers full title to the lands that they claimed. They also explained that the delegates were "fully satisfied in [their] own minds that both of the colonial contracts [had] been forfeited," and therefore there was no other way for them to obtain their lands except through legislative action.<sup>46</sup> Furthermore, the delegates emphasized that a "numbers of citizens [had] been justly entitled to patents to their lands for three and four years, and the withholding of which . . . [had paralyzed] the energies of our citizens."<sup>47</sup> Finally, the committee argued that "it [was] the bounden duty of all good governments to foster the interests of her citizens."<sup>48</sup>

Throckmorton barely made it home from the Dallas convention when he was afforded another opportunity to serve the people of Collin County. On June 12, 1849, the leading citizens of the county convened a meeting at the county courthouse in McKinney for the purpose of electing delegates to a convention which was to convene on July 4 in

Palestine, Anderson County, Texas. The Palestine convention was scheduled to consider the selection of a suitable place to locate the state capital. According to the 1845 state constitution, the state had to designate a permanent location for its capital, opening the way for its possible relocation.<sup>49</sup>

Throckmorton was once again appointed to a committee charged with the task of drafting a preamble and resolution which would be read at the Palestine meeting. Also, he had the opportunity to become further acquainted with John H. Reagan, who had attended the gathering in McKinney to give a speech concerning the importance of relocating the capital closer to the densely populated areas of East Texas. It seems likely that Reagan privately began to seek support for relocating the capital in Palestine, especially considering that the Henderson County lawyer was making plans to move there himself.<sup>50</sup>

The resolution committee completed their task after a few hours of deliberation and returned to the meeting to read their resolutions aloud to the gathered crowd. The committee recommended that "the Seat of Government should be located with a view to the convenience of a majority of the people" and "that object could best be obtained by the location of the Capital at some eligible place East of the

Brazos River."<sup>51</sup> The committee further deemed "it desirable to bring some one place permanently before the public and whereas we believe the best means of obtaining that end would be through the instrumentality of a convention."<sup>52</sup> The committee concluded that "Palestine [was] a suitable place for holding said convention."<sup>53</sup> The representatives who were later sent to Palestine from Collin County supported placing the new capital along the banks of the Trinity River in the town that served as the host of the convention.

At the same time that Throckmorton was becoming more actively involved in local politics, Collin County was going through economic, social, and political changes. Economically, the county was still heavily populated with yeoman farmers. These small farmers primarily grew wheat, maize, and a variety of vegetables. They also raised domesticated animals, especially pigs which were the mainstay of the southern diet. Additionally, farmers supplemented their diet with the plentiful supply of wild animals and fowls which abounded in the surrounding forest. Despite the region's rural conditions, several of the frontier hamlets were beginning to evolve into fledgling towns, including Buckner, McKinney, Farmersville, Plano, Millwood, Rock Hill, Roseland, Mantua, Lone Tree, Highland,

Rowlett Creek, and Weston.<sup>54</sup>

As the county became more populated, these budding towns began to establish small general stores and grist mills, some of the larger communities even had livery stables and saloons. As trade becoming increasingly important in the late 1840s and early 1850s, the people of Collin County became more interested in internal improvements. Goods such as tea, sugar, coffee, and finished cloth were often freighted into the county by wagons from other areas. For example, Collin County residents carried on an extensive trade with merchants located in the town of Jefferson, Marion County, which was located approximately one hundred and forty miles to the east of the North Texas county.<sup>55</sup>

Throckmorton took note of the economic circumstances facing the inhabitants of North Texas and realized that conditions of the region would not improve unless a viable mode of transportation was constructed in the area. Mass transportation in the mid-nineteenth century was itself going through evolutionary changes. In the first half of the century improvements in transportation were primarily limited to the construction of roads and canals. However, by the 1850s, railroads were spreading across the American landscape and were seen as the most efficient method of

transportation then known to man. Thus, at an early stage in his political career, the North Texas politician supported the idea of constructing railroads in the North Texas region as a viable means of improving the economy of all the Red River counties.

Throckmorton was not the only one that understood the importance of railroad development. Following the Mexican War, Americans began to contemplate building a transcontinental railroad, connecting California to the eastern reaches of the United States. Texans took great interest in the idea of connecting East with West by rail, and their representatives in the state capital pressed the national government to build the road west through their state. During the late 1840s, the Texas legislators offered the federal government vast tracts of its public lands in exchange for the railroad. However, the U. S. Congress did not see the immediate potential in the undeveloped lands of Texas and declined the state's offer.<sup>56</sup>

Despite their early setbacks, railroad development remained on the minds of Texans throughout the 1850s. Citizens of the Lone Star State realized that a rail line through their state would provide them with new markets, would increase immigration into the state, and would potentially inflate the price of land. Many East Texas

cotton producers also knew that railroad development held political and economic advantages. The people in the eastern part of the state had a substantial investment in slaves and were eager to advance the peculiar institution further west. In the planters' minds, railroads were going to making it profitable to grow cotton instead of wheat in North Texas, considering that the rails would afford North Texas planters a profitable way to ship their goods to established markets to the east, such as in Jefferson, Texas, and New Orleans, Louisiana. Thus, planters in East Texas were certain that slavery would move westward as cotton became "King" in North Texas.

Irrespective of the dreams of East Texas planters, many people in the northern part of the state did not want to grow cotton or bring a large number of slaves into their region. This section of the state in the late 1840s and 1850s primarily was made up of wheat farmers and stock raisers. For these individuals, the rails promised to provide a feasible way to sell their wheat and livestock to markets outside their geographical region. Throckmorton sympathized with this group of settlers during the 1850s, and consequently, his political views were shaped by the needs of these frontier families. Nevertheless, the young politician was astute enough to realize that if North Texas

was to benefit from railroad construction, he would have to work with pro-slavery advocates, who were primarily members of the Democratic party.<sup>57</sup>

Throckmorton entered state politics in the early 1850s as a die-hard member of the Whig party, following the political philosophies that he had learned from William Campbell in Tennessee and James E. Throckmorton in Kentucky. If presidential elections were an indication, he was not alone in his support of the Whig party in North Texas. In the elections of 1848, 1852, and 1856, Whig presidential candidates garnered more than 30 percent of the vote in the North Texas region despite the fact that Whigs were often perceived by Texans as being anti-Texas politicians. For example, General Zachary Taylor received favorable support in the northern part of the state during his 1848 bid for the presidency even though the Whig candidate had made unsavory comments about the character of Texas volunteers in the Mexican War and despite the fact that his party had been divided over the issue of annexation and support for the Mexican War. In 1852 General Winfield Scott, who reportedly had ties with northern abolitionists and was unpopular in many parts of the state, still received a sizable vote in North Texas, especially in Collin County. If the Whigs had put forth

candidates more friendly to the state in these elections, it is likely that they would have received an even larger proportion of votes.<sup>58</sup> Throckmorton's election to state office in 1851 proved that favorable Whig candidates could win elections in North Texas.

James Webb Throckmorton was forced to cope with numerous emotional and physical obstacles on his way to Texas: None more tragic than witnessing the deaths of his mother, father, and three siblings. However, fate seemed to be on his side as each loss brought new opportunities. The loss of his mother forced him to move in with the Campbell family where he was introduced to Whig political ideology and learned core values and principles which later would forge his own career as a frontier politician. The death of his father caused him to move in with his uncle in Tennessee where he learned the medical profession, a profession that earned him a living once he moved back to Texas. This job gave him a measure of respectability within his North Texas community and explains in part why the people of Collin County trusted him to represent them in the state legislature. The medical profession also endeared Throckmorton to the people of his region. While treating his patients, he was able to develop close personal relationships with many of the people of Collin

County. It seems certain that Throckmorton's compassion for his fellow citizen led him to protect their interest in the halls of the state legislature throughout the 1850s. Having married and settled along the South's western most frontier, Throckmorton probably thought his wild escapades were behind him: He did not realize that his adventures were only beginning.

## Endnotes

1. Claude Elliott, *Leathercoat*, 5-7; *McKinney Examiner*, October 3, 1940; Harold E. Massey, "A History of Collin County" (M.A. thesis, Southwestern University, 1948), 1-2.

2. Elliot, *Leathercoat*, 4-5; James D. Lynch, "J. W. Throckmorton," unpublished manuscript, James Webb Throckmorton Papers, 1857-1940, (Manuscript Collection. Archives Division. Texas State Library), hereinafter cited as MC/AD/TSL; *McKinney Examiner*, October 3, 1940; Lee J. Strambaugh and Lillian J. Strambaugh, *A History of Collin County, Texas* (Austin: The Texas State Historical Association, 1958), 206; Z. T. Fulmore, *The History and Geography of Texas As Told in County Names* (Austin: Press of E. L. Stech, 1915), 97-98; Ruby Crawford Holbert, "The Public Career of James Webb Throckmorton, 1851-1867," (M.A. thesis, University of Texas at Austin, 1932), 2-3; Gary Throckmorton, unpublished genealogical Register for William Edmund Throckmorton (updated April 23, 2003), printed copy in author's possession, 1-3; C. Wickliffe Throckmorton, *A Genealogical and Historical Account of the Throckmorton Family in England and the United States with Brief Notes on Some of the Allied Families* (Richmond, Virginia: Old Dominion Press, 1930), 353. All accounts, except for Ruby Holbert, C. Wickliffe Throckmorton, and Gary Throckmorton's studies, show that William E. Throckmorton was married first to Elizabeth Webb and that she was the mother of James Webb Throckmorton and three of his brothers and four sisters. I believe that Holbert, C. Wickliffe, and Gary are more accurate than the previous works which seem to replicate the same mistakes first printed in Fulmore. Holbert and both Throckmorton genealogists agree that William married Susan Jane Rotan. In addition, Gary Throckmorton finds that William E. Throckmorton was born on November 1, 1796, while other authors are less exact about his date of birth, ranging from 1795 to 1800. Here once again, I believe that Gary Throckmorton is more accurate.

3. For more information concerning western migration see Forrest McDonald and Grady McWhiney, "The Antebellum Southern Herdsman: A Reinterpretation," *Journal of Southern History* 41 (May 1975): 147-166; John Solomon Otto, "The Migration of the Southern Plain Folk: An Interdisciplinary Synthesis," *Journal of Southern History* 51 (May 1985): 183-200; Donald F. Schaefer, "Locational Choice in the Antebellum South," *Journal of Economic History* 49 (March 1989): 145-165.

4. Paul H. Bergeron, Stephen V. Ash, and Jeanette Keith, *Tennesseans and Their History* (Knoxville: University of Tennessee Press, 1999), 92-130.

5. Claude Elliott, *Leathercoat*, 4-5; Lynch, "J. W. Throckmorton"; *McKinney Examiner*, October 3, 1940; Holbert, "The Public Career of James Webb Throckmorton," 2; Strambaugh, *Collin County*, 206; Fulmore, *History and Geography of Texas*, 97-98; Massey, "A History of Collin County," 72; Gary Throckmorton, unpublished genealogical record of William Edmund Throckmorton, 1-3.

6. Elliott, *Leathercoat*, 4-5; Lynch, "J. W. Throckmorton"; Strambaugh, *Collin County*, 206; Fulmore, *History and Geography of Texas*, 97-98; Holbert, "The Public Career of James Webb Throckmorton," 3; Gary Throckmorton, unpublished genealogical record of William Edmund Throckmorton, 1-3. Strambaugh, Fulmore, and Holbert state that Susan Throckmorton died in 1837, but Gary Throckmorton records her death as December 28, 1838. Once again, it appears that the scholars have simply repeated an incorrect date in their different works, and Gary Throckmorton's work is more accurate.

7. Elliott, *Leathercoat*, 4-5; Lynch, "J. W. Throckmorton,"; *McKinney Examiner*, October 3, 1940; Holbert, "The Public Career of James Webb Throckmorton," 3; Strambaugh, *Collin County*, 206. There is no mention of where William's older children stayed. Apparently, William's older children were at the age that they could take care of themselves or lived with friends in Arkansas. William's oldest son, William Albion Little Throckmorton, was nineteen years old and John Augustus Throckmorton, second eldest son, was fifteen years old. Both of James Webb Throckmorton's older brothers would have been old enough to stay with their father and take care of themselves. In fact, James would have been old enough to stay with his father but he probably was sent to Tennessee to look after his younger brother and sister.

8. Margaret Phillips, *The Governors of Tennessee* (Gretna, Louisiana: Pelican Publishing Company, 1978), 62-65. The service prior to 1843 was only the beginning of Campbell's political fortunes: Following valiant service in the Mexican War, he was unanimously elected to the judgeship of Tennessee's fourth circuit court. In 1851, Tennessee's native son was elected governor of his state. During the secession crisis, Campbell ardently supported the Unionists against the rebellious Confederates; and after shots were fired at Fort Sumter, he joined the United States Army, briefly becoming a brigadier general in command of Tennessee Volunteers. Following the war, he was elected to represent his state as a conservative Unionist in the Thirty-ninth U. S. Congress. During Reconstruction, Campbell was a strong supporter of President Johnson and opposed Radical Republicans. The career is important to note when examining J. W. Throckmorton's own political career because the two men follow very similar paths to political prominence. For example, Throckmorton fights in the Mexican War, becomes an ardent Unionist opposed to the secession of Texas in 1861, and evolves into a conservative Unionist during Reconstruction who faithfully adhered to Johnson's Reconstruction policies and adamantly opposed Radical Republican rule in Texas.

9. Michael F. Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 1999), xii-xiii.

10. *Ibid.*, xiii.

11. *Ibid.*

12. Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989), 47; Walter L. Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 1984), 23-25; Holt, *The*

*Rise and Fall of the American Whig Party*, 64-70. For other views on the Whig party see Arthur C. Cole, *The Whig Party in the South* (Washington, D.C.: American Historical Association, 1912); E. Malcom Carroll, *Origins of the Whig Party* (Durham: Duke University, 1925); Charles G. Sellers, Jr., "Who Were the Southern Whigs?" *American Historical Review* 59 (January 1954): 335-346; Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979); and Thomas Brown, *Politics and Statesmanship: Essays on the American Whig Party* (New York: Columbia University Press, 1985).

13. Gary Throckmorton, unpublished genealogical record of William Edmund Throckmorton, 4; Fulmore, *History and Geography of Texas*, 97-98; Elliot, *Leathercoat*, 4-5; Lynch, "J. W. Throckmorton."; *McKinney Examiner*, October 3, 1940.

14. Elliott, *Leathercoat*, 5-7; *McKinney Examiner*, October 3, 1940; Holbert, "The Public Career of James Webb Throckmorton," 3-4; Strambaugh, *Collin County*, 206; Massey, "A History of Collin County," 1-2; Fulmore, *History and Geography of Texas*, 97-98.

15. For more information on slash-and-burn cultivation which was the most common form of farming lands throughout the South see J. S. Otto and N. E. Anderson, "Slash-And Burn Cultivation in the Highlands South: A Problem in Comparative Agricultural History" *Comparative Studies in Society and History* 24 (January 1982): 131-147.

16. Strambaugh, *Collin County*, 21-22.

17. J. W. Wilbarger, *Indian Depredations in Texas* (Austin: Hutchinson Printing House, 1889; reprint, Austin: The Pemberton Press, 1967), 436-37 (page references are to reprint edition); W. A. Carter, *History of Fannin County, Texas* (Bonham, Texas: privately printed, 1885), 30-31; Alice Ellison Pitts and Minnie Pitts Champ, *Collin County, Texas, Families*, vol. 2 (Fort Worth: Landmark Publishing, Inc., 1998), 55; Massey, "A History of Collin County," 24. Massey reveals that few Indian attacks occurred in Collin County and that most of them were the result of Anglo encroachment upon their lands and the natives need for horses. For other examples of Indian raids occurring in Fannin County in 1842 see Dorman H. Winfrey and James M. Day, eds., *The Indian Papers of Texas and the Southwest, 1825-1916*, vol. I, (Austin: The Pemberton Press, 1966), 125, 127, 129, 131, 134.

18. Elliott, *Leathercoat*, 7-8.

19. It cannot be overstated that J. W. Throckmorton was raised in the conservative culture of the Upper South. As a result of his time in Tennessee and Kentucky, Throckmorton did not develop an affinity for slavery, although he did recognize the "right" of slaveowners to protect their property. He also believed in the art of political compromise between radical fringe groups. In this light, his fundamental political ideology was similar to Henry Clay's core beliefs. Throckmorton, like Clay and other Upper South politicians, was devoted to Founding Father's concept of the Union. Throckmorton also understood the necessity in supporting economic growth and therefore was a strong advocate of federally funded internal

improvements.

20. *McKinney Examiner*, October 3, 1940; Strambaugh, *Collin County*, 207; James D. Lynch, "J. W. Throckmorton"; Elliott, *Leathercoat*, 8-9; Newspaper clipping, source unknown but seems to be from a McKinney newspaper, James Webb Throckmorton Papers, 1857-1940, MC/AD/TSL; Holbert, "The Public Career of James Webb Throckmorton," 5; Massey, "A History of Collin County," 72.

21. Norman E. Tutorow, *Texas Annexation and the Mexican War: A Political Study of the Old Northwest* (Palo Alto, California: Chadwick House, Publishers, LTD, 1978), 18; Robert Calvert, Arnolde De Leon, and Gregg Cantrell, *The History of Texas*, 3<sup>rd</sup> edition (Wheeling, Illinois: Harlan Davidson, Inc., 2002), 108.

22. Clyde N. Wilson, ed. *The Papers of John C. Calhoun, Volume XIII, 1835-1837* (Columbia: University of South Carolina Press, 1980), 197-199; Wilson, ed. *The Papers of John C. Calhoun, Volume XIV, 1837-1839*, 32 and 96-101; Tutorow, *Texas Annexation and the Mexican War*, 19; Louis J. Wortham, *A History of Texas: From Wilderness to Commonwealth*, Vol. 4 (Fort Worth: Wortham-Molyneaux-Compnay, 1924), 147-50.

23. Tutorow, *Texas Annexation and the Mexican War*, 19-21.

24. Robert Seager II, ed., *The Papers of Henry Clay* (Lexington: University Press of Kentucky, 1988), 897-899. In a letter to John J. Crittenden, Clay expresses his concerns over the annexation of Texas.

25. Gerald D. Saxon, "The Politics of Expansion: Texas As An Issue In National Politics, 1819-1845" (Ph.D. diss., North Texas State University, 1979), 213-47; Tutorow, *Texas Annexation and the Mexican War*, 85 and 100-103.

26. Wortham, *A History of Texas*, 186-88; Ernest Wallace, David Vigness and George B. Ward, eds., *Documents of Texas History* (Austin: State House Press, 1994), 146-47.

27. *Ibid.*, 148-160; Tutorow, *Texas Annexation and the Mexican War*, 115-16. Wallace and his co-authors include in their collected documents: "The Annexation Offer Accepted" (July 4, 1845), "The Texas Constitution of 1845" (August 28, 1845), and "The Republic of Texas Is No More" (February 19, 1846) speech given by Anson Jones.

28. James D. Richardson, comp., *A Compilation of the Messages & Papers of the Presidents* (Washington: Bureau of National Literature, 1911), 2287-93; Wallace, et al., eds., *Documents of Texas History*, 161; Tutorow, *Texas Annexation and the Mexican War*, 124. In his "War Message" to Congress on May 11, 1846, Polk recounts his instructions to John Slidell and the Mexican government's reaction to his arrival in Mexico City.

29. Richardson, *A Compilation of the Messages & Papers of the Presidents*, 2287-93. James K. Polk's "War Message" to Congress on May 11, 1846.

30. "An Act Declaring a State of War Between Mexico and the United States," *Congressional Globe*, 29<sup>th</sup> Congress, First Session, 794 (May 11, 1846).

31. Frederick Wilkins, *The Highly Irregular Irregulars: Texas Rangers in the Mexican War* (Austin: Eakin Press, 1990), 141-143.

32. *Dallas Morning News*, April 22, 1894. Wilson recounted this incident after Throckmorton death; Elliott, *Leathercoat*, 9.

33. Holbert, "The Public Career of James Webb Throckmorton," 5; Strambaugh, *Collin County*, 207; Elliott, *Leathercoat*, 11; James D. Lynch, "J. W. Throckmorton;" Wilkins, *The Highly Irregular Irregulars*, 136-51; Charles Spurlin, comp., *Texas Veterans in the Mexican War: Muster Rolls of Texas Military Units* (Victoria, Texas: privately printed, 1984), 157. The record of Throckmorton's military service in the Mexican War has often been exaggerated by most scholars. Throckmorton served approximately five months in the military and most of this time was spent in transit from Collin County to Mexico. It seems unlikely that Throckmorton could have served in the Battle of Bueno Vista because the battle took place on February 22-23, 1847, when Throckmorton was still in San Antonio. Also, Throckmorton according to Wilson's account, did not travel forward with Chevallie's Battalion to Monterey. According to accounts of Throckmorton's medical discharge, the farthest point in Mexico the young physician reached Camargo, Mexico where he was physically unable to rejoin his battalion. Thus, Throckmorton's war experience was for the most part uneventful. Throckmorton apparently suffered from some type of kidney illness perhaps brought on by his experience in the desert between San Antonio and Camargo, Mexico.

34. Massey, "A History of Collin County," 109. Collin County was formed out of Fannin County in April 3, 1846, following the annexation of Texas.

35. Holbert, "Public Career of James Webb Throckmorton," 6; Elliott, *Leathercoat*, 11. Elliott reveals that the couple returned to Texas in wagons and were accompanied by Ann's older sister and family friends. All settled in an area near the place where William Throckmorton had originally settled. J. W. Throckmorton and his wife lived in this area the rest of their lives, and like many of the frontier families of the mid-nineteenth century, they had a large number of children, ten in all.

36. Newspaper article "Tender Woman, After Braving Pioneer Day Perils, Presides as Mistress of Governor's Mansion," from the *San Antonio Express*, [n.d., circa 1912], James Webb Throckmorton Papers, 1857-1940, MC/AD/TSL.

37. Ibid.

38. Ibid.

39. Elliott, *Leathercoat*, 12-15; Massey, "A History of Collin County," 72; Holbert, "The Public Career of James Webb Throckmorton," 7.

40. Seymour V. Connor, *Adventure in Glory* (Austin: Steck-Vaughn Company, 1965), 146-149. For a more detailed examination of the Peters Colony see Seymour V. Connor, *The Peters Colony of Texas: A History and Biographical Sketches of the Early Settlers* (Austin: Texas State Historical Association, 1959) and Seymour Connor, *Kentucky Colonization in Texas: A History of the Peters Colony* (Baltimore: Genealogical Publication Co., 1983).

41. Connor, *Adventure in Glory*, 149.

42. Ibid., 149-150; Seymour, *Kentucky Colonization in Texas*, 8; Patsy McDonald Spawn, *The Texas Senate: Republic to Civil War, 1836-1861* (College Station: Texas A&M University Press, 1990), 94.

43. Calvert, et al., *The History of Texas*, 94; Holbert, "The Public Career of James Webb Throckmorton," 22-23. The states of immigrants are defined as Ohio Valley: Illinois, Indiana, Ohio; Northeastern United States: Pennsylvania, New York, Massachusetts, Connecticut, New Hampshire, Rhode Island; Upper South: Missouri, Arkansas, Tennessee, Kentucky, Virginia, North Carolina. A large number of the immigrants came from the Upper South.

44. Connor, *Adventure in Glory*, 214-217. The Mercer Colony was a separate colony to the immediate southeast of the Peters Colony.

45. Rupert N. Richardson, Adrian Anderson, Cary Wintz, and Ernest Wallace, *Texas: The Lone Star State*, 8<sup>th</sup> edition (Upper Saddle River, New Jersey: Prentice Hall, 2001), 149-50. Charles F. Mercer was awarded a colonizing contract just before the Texas congress discontinued the *empresario* contracts in early 1844. The Mercer Colony contract called for the location of families in a large area to the south of the Peters Colony. Unfortunately, the borders of the Mercer and Peters colonies overlapped which caused further confusion regarding land claims.

46. "Proceedings of a Convention, of Delegates from the Counties in Peters and Mercer's Colonies, held in the Town of Dallas 21<sup>st</sup> day of May A. D. 1849," *Clarksville Northern Standard*, June 16, 1849.

47. Ibid.

48. Ibid.

49. "Public Meeting in Collin County," *Clarksville Northern Standard*, June 23, 1849. Many citizens wanted to move the capital from Austin, arguing that its frontier location made it less accessible to the people of East Texas, other Texans were content on leaving it in Austin. Almost everyone who promoted the relocation of the capital understood that the state capital would be an economic gold mine for the lucky town that won the honors. It was eventually decided to leave the capital in Austin.

50. Ibid.

51. Ibid.

52. Ibid.
53. Ibid.
54. Strambaugh, *Collin County*, 40-61.
55. Massey, "A History of Collin County," p. 108-109.
56. Pamela McDougald Fowler, "The Origins of the Texas Railroad Commission," (M.A. thesis, Rice University, 1982), 7-8.
57. Ibid., 8-9; *The Seventh Census of the United States, 1850* (Washington, D.C.: Robert Armstrong, Public Printer, 1853), 515 and 517. Collin County in 1850 produced 2,433 bushels of wheat. In the same year, the county reported producing one bale of cotton (400 lbs.). Clear the interest of the county was not the same as their East Texas brethren.
58. Mike Kingston, Sam Attlesey, and Mary G. Crawford, *The Texas Almanac's Political History of Texas* (Austin: Eakin Press, 1992), 72; Walter Buenger, "Stilling the Voice of Reason: Texans and the Union, 1854-1861," (Ph.D. diss., Rice University, 1979), 96-97. Kingston and his co-authors report the presidential election vote in Collin County as follows: In the 1848, Lewis Cass (Democrat) 99 to Zachary Taylor (Whig) 43. In 1852, Franklin Pierce (Democrat) 133 to Winfield Scott (Whig) 58. In 1856, James Buchanan (Democrat) 564 to Millard Fillmore (Whig) 302.

## CHAPTER III

## GUARDIAN OF THE FRONTIER, 1851-1857

The 1850s promised to be years of hope and optimism for many Texans. During the previous decade, the United States had annexed the Lone Star Republic and the state's citizens were consumed by the spirit of Manifest Destiny which was pervasive among most southern Anglos. Shortly after the annexation of Texas, miners found gold in California in 1848 which further expedited America's push westward. For American expansionists all seemed to be progressing well; however, the gold strike in California also held grave political consequences for the United States.<sup>1</sup> The primary question concerning expansion of the country was whether or not slavery would be allowed in the western territories. While no record exist that reveals Throckmorton's feeling on this manner, it seems certain that he was worried about the pending consequences expansion might hold for the frontier settlers. He had moved to the frontier with his family to escape the political dominance of southern slaveholders and now it appeared that they would once again threaten the independence of the yeoman farmers living in Texas. His concerns were undoubtedly heightened once California began

to seek admission to the Union in 1849.

California's population exploded following the gold strikes of 1849. With this excessive growth, the western state quickly became eligible to apply for statehood. As a result, the debates over slavery in the western territories reached a feverish pitch. Many northern politicians, especially members of the Free-Soil party, became concerned that the South's undemocratic practice of slavery would spread westward. Conversely, Dixie's people believed that they had a right to carry their "human property" into the western territories. Thus, the primary question confronting both northern and southern politicians was whether California would enter the Union as a free or slave state.<sup>2</sup>

As sectional politicians positioned themselves for a battle over the future status of the western territories, the Great Compromiser, Senator Henry Clay, worked to create a viable compromise between the opposing sides. In January 1850 he proposed a compromise bill before Congress which promised an immediate solution to the slavery issue in the western territories and in the broader United States. Clay's compromise was multifaceted and made concessions to both the northern and southern states: It called for an end to the slave trade in Washington, D.C.; for a more

stringent fugitive slave law; for popular sovereignty in Utah and New Mexico territories; and for California to enter the Union as a free state. Additionally, and of greater interest to Texans, the proposed bill provided a settlement of the Texas and New Mexico boundary dispute which had festered since the end of the Mexican War. The boundary dispute centered upon the legitimate boundary between Texas and New Mexico. Texas claimed the Rio Grande as its western boundary which included a large segment of present-day eastern New Mexico. Senator Clay's omnibus bill stipulated that Texas would relinquish its claims in today's New Mexico and proposed the present-day boundary. In an effort to compensate Texas for its territorial losses, Clay offered the Lone Star State a ten million dollar indemnity payment. Clay's compromise, however, was opposed by both northern and southern politicians: Neither side could accept the portions of the proposal which benefitted their rival section. Exhausted from his efforts, Clay turned over leadership of his resolution to Senator Stephen A. Douglas, an able parliamentarian who supported the Kentuckian's compromise proposal. Douglas broke the resolution apart from the omnibus format and began to cajole the separate parts of compromise through Congress by creating a series of shifting coalitions for

each part of Clay's original bill.<sup>3</sup> As a result, Senator Douglas succeeded in effecting a viable compromise in September 1850. It appeared that the sectional debate over slavery was solved forever.

While Texans bristled at the enormous loss of land on their western border, they understood value of the U. S. indemnity clause. The money received from the United States would allow the state to pay off the public debt which it had incurred during the period of the republic and early statehood. Thus after the U. S. Congress passed the bill and President Millard Fillmore signed it into law on November in 1850, Texans voted overwhelmingly to accept the Compromise of 1850.<sup>4</sup>

By the time that Texans accepted the compromise, James Webb Throckmorton had grown weary of the demands of the medical profession and believed that practicing law was more suited to his personal demeanor and physical health. Thus, he made the fateful decision to pursue a career in law and politics. Already familiar with nineteenth-century politics, Throckmorton recognized that most state and national politicians were also members of the bar or were wealthy planters. Apparently, Throckmorton was not interested in agricultural pursuits, and he took the necessary steps to become a lawyer.

While Throckmorton had previously served as a delegate to various local conventions in the late 1840s, his political career did not actually begin until 1851. With the Compromise of 1850 temporarily settling the sectional divide over slavery, Throckmorton entered politics during a period of relative political calm. Unfortunately, there is no record of his views regarding the compromise. However, it seems certain that he would have been concerned about the aspects of the compromise which favored the planter class. Because the western territories of New Mexico and Utah would decide the future status of slavery inside their borders according to the principle of popular sovereignty, Throckmorton undoubtedly feared that planters from the Lower South would begin to migrate westward to influence the future of status of those regions. The North Texas frontier was located directly in the path of the Lower South and the western territories and therefore logic dictated that the planters would attempt to invade the refuge which white yeoman farmers had forged out of the wilderness. Thus, Throckmorton and his fellow settlers believed that their communities would soon fall under the threat of the planters and their slaves.

In 1851 the young Collin County lawyer campaigned for a seat in the Fourth Texas Legislature as a representative

from the Twenty-fifth District which included both Collin and Denton counties. Running as a Whig candidate, Throckmorton easily defeated his opponents A. Johnson and Jacob Baccus. In his home county, Throckmorton received 157 votes; Johnson garnered 132; Baccus gathered 25. Jacob Baccus fared better in Denton County, receiving 63 votes to his opponents combined total of 44. The total vote count in the district was 421 with 221 ballots going to Throckmorton, sending the former frontier doctor to Austin to serve in the Texas House of Representatives.<sup>5</sup>

Once he arrived in Austin, Throckmorton's attention was devoted to three primary local issues: the settlement of land claims in the Peters Colony, the development of railroads in the North Texas region, and the defense of the northern frontier against Indian depredations. These issues were paramount to preserving the yeoman farmers' political and social control of their communities. Conflicting land claims in the Peters Colony of North Texas produced violent reactions and threatened public safety in the region. By 1850 settlers in the colony turned to the state legislature for relief from the unscrupulous activities of the Texas Land and Emigration Company. North Texans also viewed internal improvements as a vital issue of concern. Almost everyone in the northern reaches of the

state agreed that internal improvements were needed if their region was to prosper economically. The farmers of North Texas primarily grew wheat, but they did not have an efficient transportation system to send their crops to market. Thus, the people of North Texas readily supported Throckmorton's promotion of railroad development in their region of the state.

Finally, the citizens of North Texas pushed the legislature to provide them with adequate protection from Indian raids. White settlers had continually moved onto the Native Americans' lands since the earliest Anglo settlements in Texas, and the tribes of the Lone Star State struck back at their encroaching enemies with fury. Once Texas was annexed to the United States in 1846, the federal government in Washington, D.C., had attempted to defend the frontier regions of Texas, but according to Texas frontiersmen, the U. S. soldiers posted on the fringes of civilization had offered little protection. Consequently, at the wishes of his constituents, Throckmorton called on the state to provide ranger companies to protect the people of North Texas.<sup>6</sup>

In January 1852, legislators sought to resolve the Peters Colony controversy. Leaders in the legislature appointed a joint committee to investigate charges that the

settlers had made against the promoters of the Peters Colony and to determine the validity of the colonists' accusations. Representative R. P. Crump and Senator G. W. Hill, who served as chairmen of the committee, reviewed the arguments presented by the settlers' hired counselor, John H. Reagan. The colonists primarily complained that the agents of the Texas Land and Emigration Company had not properly surveyed their property and had failed to provide them with clear title to the lands that they had settled. The settlers further claimed that the company had told them to settle any sections within the colony that they found convenient but that later the company's officials forced those individuals who had settled on the even-numbered sections to move off their lands. Also, the company had not lived up to its contractual agreement to build cabins for the settlers and to provide them with guns and ammunition. However, after carefully considering all the colonists' claims and investigating records from the Secretary of State and Commissioner of the General Land Office, the joint committee reported that the promoters had made every effort possible to comply with the terms of their contractual agreements.<sup>7</sup> The committee's findings did little to alleviate the problems between the settlers and the promoters, and as a result, Representative

Throckmorton and Senator James H. Armstrong proposed a compromise measure.<sup>8</sup>

The Throckmorton compromise, as it was known, stipulated that if the promoters withdrew their suit against the General Land Office and relinquish their rights in the colony within twenty days, the state would dismiss any legal actions the government was considering against their company.<sup>9</sup> The compromise measure also required the settlers to claim their land before August 4, 1852. Because the company would potentially lose its best lands to the settlers' claims, Throckmorton proposed that the state grant the promoters an additional 2,000 sections of land from the state. After being formally submitted to the legislature in the form of a bill, the compromise passed both houses on February 3, 1852, and Governor Bell signed it into law seven days later.<sup>10</sup>

The settlers found little to celebrate in the compromise. They felt that the new law favored the Texas Emigration and Land Company and objected to the reinstatement of H. O. Hedgcoxe as the company agent. The colonists had forced Hedgcoxe from his office in the late 1840s because they felt that he cheated them out of their land titles. After the legislature reinstated him to his former position, the recalcitrant Hedgcoxe continued to

endure the wrath of the settlers by denying approximately four hundred of them claim to their lands, stipulating that he was acting under the dictates of the 1852 legislation. Actually, Hedgcoxe's interpretation of the law was inaccurate because the legislators had specifically said that the Texas Emigration and Land Company could not act against the interest of the settlers.<sup>11</sup>

Discontent soon matured into rebellious activity. A group of settlers met in Springfield, Limestone County, on April 28, 1852, and penned a list of grievances against the company. The delegates' complaints paralleled the arguments that the settlers had presented to the state legislature earlier. However, the Springfield delegates also found the law of 1852 to be unconstitutional and in violation of an ordinance passed during the constitutional convention of 1845. The ordinance had declared that the state's Attorney General should institute legal proceedings against the company and that the original contracts between the Texas Emigration and Land Company were voided if the settlers' charges against the company proved valid. More important to the Springfield delegates' argument, the members of the constitutional convention stated that the legislature did not have the authority to extend further time limits for the settlement of the necessary number of

families or relieve the company from forfeiture resulting from noncompliance with the requirements of the contract. The members of the Springfield meeting contended that the ordinance was ratified by the people of Texas when they voted on the new state constitution. However, the delegates seem to have been mistaken in their assessment of the ordinance because it never was a part of the Texas Constitution since it was not presented to the United States government for its approval at the time of annexation. Before adjourning, the Springfield convention agreed to petition Governor Bell to call a special session of the Texas legislature to nullify the 1852 compromise law and encouraged the delegates present at the meeting to organize additional conferences in other areas of the colony.<sup>12</sup>

In response to the Springfield delegates' call for further conventions, the Peters Colony settlers organized another meeting in Dallas on July 10 with the intention of discussing possible solutions to the problems between the colonists and the Texas Emigration and Land Company. At the meeting, delegates formed a committee to conference with Hedgcoxe at the company's office near McKinney and to invite him to submit the company's records for investigation. Through their actions, the delegates hoped

to reach a compromise between the colonists and the company. The members at the Dallas meeting then adjourned agreeing to reconvene on July 15 to hear the committee's report. When the convention resumed, the attendees discovered that the committee had failed to complete its task. The disgruntled members grew impatient and decided more radical measures were needed to protect the settlers' claims. By resolution, they voted to censure Sam Bogart, the state senator for the Dallas district, and called for his resignation on the grounds that he had not properly represented the interest of the people living in the Peters Colony. Senator Bogart's most damning action had been his support of the 1852 compromise law.<sup>13</sup>

Inflamed by the spirit of the Dallas meeting, John J. Good led a group of approximately forty colonists in a raid of Hedgcoxe's office on July 16: They intended to force the company's agent to turn over the records in question. Having returned to Collin County at the conclusion of the regular session of the Fourth Legislature, Throckmorton learned of Good's intentions. Because he was opposed to solving the colonists' problems through violent means, Representative Throckmorton notified Hedgcoxe that Good and his followers were on their way to his office and that his life was in probable danger. By the time that the

disgruntled settlers arrived, Hedgcoxe had hidden some of the company's records in a nearby cornfield and had sought refuge there himself. However, the mob was able to confiscate most of the company's files and many of Hedgcoxe's personal papers. The rowdy crowd eventually dispersed but not until they had verbally threatened Hedgcoxe's life, forcing the frightened agent to load the company records in the cornfield into a wagon and carry them to a safe location in Bonham, Fannin County. From there, the records were forwarded to the Texas Emigration and Land Company's headquarters in Louisville, Kentucky.<sup>14</sup>

The result of the mob's actions was to slow down the process of issuing land certificates to the settlers. In an effort to formulate a new strategy, representatives of the colonists agreed that delegates from each county in the Peters Colony would meet in McKinney on July 29, 1852, but before the meeting convened, a group of settlers who sought a peaceful solution to the colonists' problems met on July 20. Throckmorton was present at this meeting, but he was not an outspoken leader among the attendees. Instead, the leaders of the movement were J. C. Easton, Sam Bogart, S. R. Campbell, Alex Berry, of Ellis County, and a man by the last name of Martin of Dallas County. Though Throckmorton did not assume a primary leadership role, his influence and

attempt to aid the settlers was noted at the convention. In the *Northern Standard* on August 7, delegates noted that Bogart and Throckmorton's efforts in the passage of the compromise law of 1852 was "commendable to them, and in [their] opinion, was the best arrangement that could be made under all the circumstances, to secure [the colonists] rights, and that the assaults upon their character and conduct in this behalf, are erroneous and unjust."<sup>15</sup>

On July 24, another group of disgruntled colonists met at Denton. The members of this group found no fault with the 1852 compromise law, but rather they blamed their problems on Hedgcoxe's interpretation of the law. They justified the earlier actions by stating that the company's agent had attempted to force the settlers from their lands which they had made improvements upon. The Denton delegates also requested that Throckmorton resign his position in the legislature, not because he was the sponsor of the 1852 compromise law, but because he thwarted John Good's raid on Hedgcoxe's office, preventing the settlers from obtaining all the company's records. Thus, the Denton delegates accused Throckmorton of being sympathetic to the Texas Emigration and Land Company's and siding with the company's agent in the ongoing dispute.<sup>16</sup>

As planned, the meeting at McKinney convened in late

July. The first order of business was the organization of the conference. The attendees elected Reverend Azariah Bone of Grayson County as president of the meeting, B. P. Smith also of Grayson County as vice-president, and J. W. Latimer of Dallas County as secretary. The president's first official act was to appoint a committee on address and resolution. Reverend Bone then adjourned the meeting until the following morning. When the McKinney meeting reconvened the following day, the members of the committee suggested that the convention adopted resolutions similar to those of the earlier Denton meeting. They also suggested that the convention leaders should keep the company records which were taken from Hedgcoxe's office, unless the legislature revoked the 1852 compromise law. Finally, the committee put forth a plan of action which called for a special session of the legislature and for the appointment of vigilant committees run by citizens with the instructions of keeping the land company under surveillance.<sup>17</sup>

The delegates were unanimous in their vote on the resolutions, except on two accounts: Throckmorton, Bogart, and Wilcox of Collin County, and Stone of Dallas voted against holding the stolen company records at Dallas, and Throckmorton and Bogart voted against the resolution which

called for the censorship of the state legislature's committee that was in charge of investigating the Peters Colony controversy. The McKinney convention called on Governor Bell to convene the legislature in special session in order to give the settlers in the colony relief. In an effort to sway the legislature to their point of view, the colonists' resolutions absolved those who had sponsored the 1852 compromise law and stated that the representatives and senators had passed the law with good intentions. Despite these good intentions, however, the delegates claimed that the law had caused greater confusion in the colony and had not solved the problems confronting the colonists. In response to the McKinney resolutions and other matters affecting the state, Governor Bell called the legislature into a special session on January 1853.<sup>18</sup>

In compliance with the Denton resolution, Representative Throckmorton resigned from the Texas House of Representative. In a letter to Governor Bell on September 15, 1852, he stated, "Sir, I here within tender you my resignation as representative of the Twenty fifth Representation District of this State."<sup>19</sup> Subsequently, he made plans to run for reelection in the special election which was to be held in November. In this election, Throckmorton was pitted against S. R. Campbell, who made an

issue of the former representative's support of the compromise law of 1852. Campbell campaigned for the repeal of the controversial legislation, while Throckmorton defended the compromise measure as sound but suggested that the legislative act might be amended to prevent company agents from further misinterpreting the original intent of the law. Throckmorton was successful in his bid for reelection, perhaps proving that widespread dissatisfaction in the Peters' Colony was not as prevalent as agitators had suggested, or perhaps that many voters believed Throckmorton had acted favorably on the behalf of the settlers.<sup>20</sup>

When the extra session of the state legislature met in January 1853, there was an obvious divide among the representatives over the issues concerning the Peters Colony. One group of legislators supported the position taken by the committee on land claims, stating that all legislation affecting the colony was contrary to an ordinance of the constitutional convention in 1845 and that all laws passed since the adoption of Texas Constitution were unconstitutional and therefore null and void. A second group of legislators, including Throckmorton, Bogart, and John M. Crockett, believed that the suspension of all the legislation pertaining to the colony since 1845

would only cause additional confusion in the North Texas region. The matter was submitted to a special committee by the speaker of the House.

After studying all the gathered evidence made available to them, the members of the special committee proposed a bill that they thought would solve the Peters Colony controversy, but Throckmorton and his political allies felt that the proposed bill was unfavorable to the colonists: A sufficient number of legislators agree with them and the bill was amended to meet their satisfaction. The amendments required the Texas Land and Emigration Company to surrender to the state all of its interests or claims to all sections, half sections, fractional sections, or alternate sections that it owned, located, claimed, or settled upon by any settler of the colony, or certificates issued by the county courts. Furthermore, the amendments provided that once the colonists had secured their claims that the company could then take charge of lands that the state had originally promised it. The proposed amendments were then sent to the Committee on the Judiciary of which Throckmorton was a member. After careful consideration, the Judiciary Committee recommended the passage of a new bill which included the proposed amendments. After several motions against the new legislation proved unsuccessful,

the House adopted it by a vote of thirty-six to twenty. Following the Senate's approval, Governor Bell signed the proposed bill on February 4, 1853.<sup>21</sup>

The new law contained many of the provisions Throckmorton called for prior to the passage of the 1852 compromise law. It stated that the settlers were "confined to a country they love but cannot improve" and that the only solution was for the company to suspend its claims until the colonists' lands were registered.<sup>22</sup> The law attempted to solve the problem facing the settlers by placing the colonists' interest before that of the Texas Emigration and Land Company. With their land claims solidified, the settlers were now in control of the economic, political, and social future of the frontier.

Another important issue which attracted the attention of James Webb Throckmorton was internal improvements, especially the development of railroads. By the 1850s, railroad construction became more pronounced in the South, especially in areas east of the Mississippi River. During this decade railroad mileage in the southern states increased some five-fold, providing approximately 10,000 miles of rails in the South by 1860. While southern rail lines were limited in comparison to those stretching across northern states, the massive growth in railroads

demonstrated the South's interest in improving its transportation infrastructure. The growth of southern railroads was directly linked to investments made by state and local governments. For example, the state of Virginia spent approximately \$24 million dollars and Tennessee \$17 million on railroad development. While friendly to private rail lines during the antebellum period, Georgia actually operated a state-owned railroad, the Western and Atlantic line which connected Atlanta and Chattanooga. Throughout the 1850s, southern states provided more than \$81 million dollars for the development of railroads, and local governments supplemented the states' investments with an additional \$55 million. Obviously, southerners viewed railroads as essential for improving their region's economic future.<sup>23</sup>

Like their southern brethren, Texans also sought to build railroads in their state. By 1861, the Lone Star State had set aside five million acres of public lands and appropriated \$1.8 million in state bonds for the development of railways.<sup>24</sup> Like the people of other states in the Trans-Mississippi region, Texans understood that the building of railroads would prove vital to the development of their state. A well-planned rail system held the promise of settling vacant lands, of increasing taxable

wealth, and of building existing communities into thriving cities. Thus, a community could possibly ensure its economic greatness if it were located along the path of future rail lines. Therefore, the location of railroads became a source of heated competition among the fledgling towns of Texas.<sup>25</sup>

Farming communities, for example, realized that the location of the rails would be important to their future prosperity. For East Texas planters, the *iron horse* represented a potential way to spread the cotton culture and slavery into the interior of Texas. The interior regions of the state were not accessible by navigable rivers and thus freight transportation from these areas was conducted by ox-wagons, an extremely expensive and inefficient method of carrying on commercial trade. Railroads seemed to be the only solution to opening up the fertile black lands of central and northern Texas for cotton production.<sup>26</sup> While some individuals in the northern part of the state in the 1850s might have envisioned reshaping their economy so it more closely resembled their East Texas counterparts, it is more likely that North Texas farmers viewed the railways as a way to market crops which they were already producing in large quantities, especially wheat. Like the settlers in the Upper South states, North

Texans understood that if they could economically sustain themselves, they might be able to thwart the migration of planters to the frontier.<sup>27</sup> As long as wheat crops proved profitable, small farmers could maintain themselves on the land and would be less likely to sell their property to the members of the planter class. Finally, the people of North Texas understood that internal improvements would improve the overall value of the land holdings. Thus, if they chose to sell their lands in the future, they could count on making a sizable profit from the transaction.

Regardless of the motives of railroad promoters in Texas, any extensive plans for the development of lines were not feasible as long as the Texas treasury was empty. However, in 1850 the economic fortunes of the Lone Star State changed with the passage of the Compromise of 1850. With the \$10 million indemnity bonds that the state received in compensation for realigning its western boundaries, the state was able to retire its debts as well as set aside funding for internal improvements. The state would now seemingly have its railroads, but the questions of *where* the lines would run and *how* the roads would be constructed became the topic of legislative debate.<sup>28</sup>

By 1852 the state legislature was beginning to issue special grants of lands to various railroad enterprises.

Two years later, legislators granted sixteen sections of land to railroad companies for every mile of track they completed. To ensure that the railway promoters did not take advantage of the state's generous offer, the legislators required companies to build twenty-five miles of track before receiving title to their claims. In 1856 the Texas legislature authorized loans of \$6,000 per mile once the rail companies had laid the required twenty-five miles of track. The state incentives sparked the immediate interest of several railroad companies, almost all of which obtained charters from the state. However, most of the antebellum companies failed to produce a single mile of track, and as a result Texas remained a railroad-poor region at the end of the decade. By 1860 the Lone Star State could boast of having 400 miles of track located inside its borders, a paltry sum given that the state had granted thousands of acres of land and had loaned nearly \$2 million to various railroad companies.<sup>29</sup>

Like other citizens from his region of the state, Throckmorton viewed railroad development as vital to the economic prosperity of North Texas. However, before the people in the region could enjoy the full benefit of internal improvements, the state legislature had to settle another heated conflict over land claims in North Texas.

On February 10, 1852, the legislature reserved a large portion of the northern part of the State for colonial purposes until August 10, 1854. At the special session of the Fourth Legislature, the members passed a 320-acre preemption law on February 3, 1853. The Fifth Legislature passed a 160-acre preemption law which was approved February 13, 1854. Many settlers made claims to lands within the colonial reserve after the passage of the 320-acre law but before the passage of the 1854 law which limited preemption to 160 acres. These squatters received no objection from other colonists, the Peters' Company, or the state, and therefore they saw no reason why they could not improve the land and apply for title to the land after the August 1854 deadline. If the reservation had been allowed to expire as planned, the area would have opened for settlement and the settlers would have won legal rights to the lands, leaving the matter problem free. However, on December 21, 1853, the Fifth Legislature created the Pacific Railroad Reserve. The new reserve included public lands that the squatters claimed as their own. Obviously, land titles became blurred and confused. As a result, some settlers would receive 320 acres, some would receive 160 acres, and some would receive nothing depending upon when and where they claimed their lands.<sup>30</sup>

The issue of conflicting land claims in the railroad reserve became a major issue in the mid-1850s. In the August 1855 elections, the people of Collin, Cooke, and Denton counties reelected Throckmorton to the state legislature. Representing the interest of his North Texas constituents, he pledged to help the settlers who made land claims in the Pacific Railroad Reserve. Having been an outspoken proponent of internal improvements, Throckmorton was made chairman of the Internal Improvement Committee which was expected to solve the problems associated with the squatters living on the newly created railroad reserve. In November 1855, the House considered a bill that promised relief to the illegal settlers. The bill required that the state give three hundred acres of land to the squatters regardless of when they made their claims. The only cost to the settlers would be a fee of fifty cents per acre for surveying and patenting their lands. Representative Throckmorton opposed the bill for three reasons: First, he did not believe that it provided proper relief to the squatters. Second, he thought that the law was too limited because it only applied to a small group of people who purchased land in the reserve and did not extend the same privilege to all citizens. Finally, he claimed that the law should apply equally to all public lands and not just

those within the railroad reserve.<sup>31</sup>

Throckmorton proposed his own bill on the subject. He called for those settling the region prior to the 160-acre law should receive 320 acres of land. Throckmorton further suggested that the pioneers who settled in the region after the 160-acre law should receive their 160 acres.

Throckmorton arrived at this conclusion based on the following logic: First, many of the settlers came to the area prior to the last session of the legislature which designated the region as part of the Pacific Railroad Reserve. As a result, the people did not move onto the land in violation of the law. Second, many settlers moved to the region during the winter that the reserve was being created and therefore had no knowledge of its existence. Finally, Throckmorton argued that the lands granted to the settlers would greatly benefit the cause for which the law was originally created. He made this conclusion because he knew that land speculators who owned thousands of acres of certificates would keep the region from being settled until it became economically feasible to do so. The actions of speculators would prevent the lands from developing and consequently from increasing in value. Throckmorton stated that "these people are industrious and comprise a most valuable class of citizens. The country where they have

settled was a few years ago a vast wilderness, an uncultivated waste; but now it is covered with fine farms and is indeed one of the most flourishing parts of the state."<sup>32</sup> It is likely that Throckmorton was also concerned that speculators would sell their land certificates to members of the planter class, resulting in the development of a plantation society on the Texas frontier, a proposition that North Texas settlers hoped to avoid.

Throckmorton attempted to gain favor with those individuals who supported internal improvements by arguing that the settlers would improve the value of the land and that the presence of pioneers would speed up the process of railroad development. According to Throckmorton, the farmers would use the railway to ship their goods to distant markets, and at the same time, the developing frontier communities would serve as a source of new markets for distant manufactures. Therefore, Throckmorton argued that the economic circumstances which existed in the railroad reserve would blend the interests of the railroad with the interests of the frontier agricultural communities, producing positive results for both.<sup>33</sup>

Throckmorton's opponents argued that the settlers were in violation of the law: Settlement within the reserve was prohibited by law, and the opposition did not feel that the

settlers' ignorance of the law was any reason to allow them to stay on the land.<sup>34</sup> On December 5, 1855, Representative James Hooker proposed an amendment to Throckmorton's bill which voided the land claims of those settlers who moved onto the reserve following the passage of the Mississippi and Pacific Railroad law, December 21, 1853. After refusing to table the amendment, the representatives moved to take an up or down vote on the issue, Throckmorton attempted again to aid the settlers' circumstances. He stated, "Again, sir, there have never been any boundary lines run showing just where the boundary line is. How is a man who wants a home to take the exact longitude and latitude of his little claim of one hundred sixty acres of land and determine for himself whether he is in the reserve or not?"<sup>35</sup> Throckmorton also reminded his colleagues that Texas had always maintained a liberal policy in granting land to pioneers and to do otherwise in this case would go against well-established precedents. Nevertheless, Throckmorton's appeal to logic and reason proved unsuccessful. The House passed the Hooker amendment and sent it to the internal improvement committee. Since Throckmorton was the chairman of this committee, he had a final opportunity to enact changes to the proposed legislation which would be more favorable to the settlers.

On January 2, 1856, he offered a compromise measure to the bill which suggested that the settlers moving in the reserve after December 21, 1853, should receive titles to their lands. Additionally, Throckmorton's measure provided that the state would not issue any further preemptions in the region in question. Unfortunately for the squatters, this compromise was rejected by a majority of the House members and the bill granting preemption only to those individuals who had settled in the reserve before December 21, 1853, was passed. The governor signed the bill into law on January 26, 1856.<sup>36</sup>

This had been a fight between two opposing groups: The settlers residing in the Pacific Reserve and those individuals who wanted to advance the cause of internal improvements. Though Throckmorton was an outspoken proponent of internal improvements, he allied himself with the former group. He had lived among these people and could hardly refuse to defend their claims. They were also his constituents, and unlike some elected officials he felt obligated to represent their interests. Furthermore, Throckmorton believed the settlement of the reserve would aid the cause of internal improvements rather than hinder them. In 1856, he was able to make some concessions to the settlers living on the reserve.

On August 18, 1856, Throckmorton reported that the Internal Improvements Committee was proposing a bill which "authorized the location, sale, and settlement of the Mississippi and Pacific Railroad Reserve."<sup>37</sup> This bill recommended that concessions should be made to the colonists similar to that recommended on January 2. Throckmorton stated that "all persons who were settled upon any portion of the reserve could have claim, not to exceed one hundred sixty acres, upon the payment of fifty cents per acre to the special school fund."<sup>38</sup> The law passed on August 26, 1856, bringing the preemption troubles to an end. In the eyes of his constituents, Throckmorton was deemed a lasting friend.<sup>39</sup>

Throckmorton's involvement with railroad development extended beyond just the settlement of land claims in the Pacific Railroad Reserve. He became consumed with the idea of establishing a transcontinental railroad route which would run through Texas--more specifically a road which would run through or near his representative district. Between 1851 and 1857, Throckmorton's commitment to ensuring that any proposed transcontinental railway ran through Texas was evident in his participation in various railroad conventions. The first railroad meeting that the Collin County politician attended took place in Austin on

November 17, 1851. While he played only a limited role in this convention, the young North Texan became more keenly aware of the major issues confronting railroad development in Texas and was able to make the acquaintance of other railroad men in the state.<sup>40</sup>

On October 6, 1853, Throckmorton attended a railroad convention in Bonham, Fannin County. The meeting primarily was comprised of delegates from North Texas counties, and Throckmorton played a major role in the proceedings. The North Texans expressed that they wanted a railway that would traverse the state. Speaking for the assembled delegates, Throckmorton announced that "counties should be able to take stock in Railroads under certain restrictions, by a majority of the votes of any county or counties, so expressing themselves at the ballot box."<sup>41</sup> Furthermore, Throckmorton found that "it would be best for the State to lay out one route to extend directly from east to west, across the State, and that such road be made the special care of the State and all her energies."<sup>42</sup> Finally, he stated that the delegates to the Bonham convention believed that the state legislature should make the Memphis, El Paso, and Southern Pacific road the primary line through Texas, a road that would bisect the Red River counties. The delegates argued that competing railroads in the state

could connect with Memphis, El Paso and Pacific road at various points along the road as "the want of the country demand[ed]." <sup>43</sup>

By 1856, Throckmorton changed his mind concerning the route that the transcontinental line should follow through Texas. Although he envisioned that the Memphis, El Paso, and Pacific would connect with the transcontinental road, he began to support a more centralized route for the main line through his state. As a result, he became a strong supporter of the Texas Western Railroad Company. <sup>44</sup> It seems obvious that Throckmorton's controversial shift in support from the Memphis, El Paso, and Pacific to the Texas Western Railroad Company resulted from his desire to compromise with other prominent railroad men living in areas outside of North Texas, especially in the eastern and Gulf regions of the state. <sup>45</sup>

The Texas Western Railroad Company, commonly referred to as the Texas Western, promised to be a major link in a transcontinental railroad that would run through the southern part of the United States to California. On February 16, 1852, the Texas legislature gave the company a charter to build a railroad across the state from its eastern boundary line near the East Texas town of Waskom to the West Texas town of El Paso. The list of incorporators

included notable politicians and businessmen: Samuel Bogart and James Webb Throckmorton from the North Texas region; and William T. Scott, the largest slaveholder in Harrison County. Other incorporators included James C. Hill, Rufus Doane, Lucius Clopton, Willis Stewart, E. E. Lott, L. B. Camp, and J. D. Todd. Capital stock in the company was divided into \$100 shares, and no one was eligible to become a director unless he owned a minimum of five shares of stock. The legislature granted the company a right-of-way through state-owned lands, but it was limited to 200 feet in width. Like other railroad charters during the era, the state promised the Texas Western eight sections of land for each mile of road it completed, but the company could not claim its land unless it laid ten miles of track during the first five years of its charter. Furthermore, if construction of the first ten miles was not complete during the allotted five-year span, or at least twenty miles of track had not been laid within six years, the state would consider the charter null and void.<sup>46</sup>

During the next four years, the Texas legislature passed two new acts which promised additional benefits to the Texas Western. On January 30, 1854, new legislation provided that when railroad companies constructed twenty-five or more miles of track that they would be entitled to

receive sixteen sections of land from the state for every mile completed and in operation. A little over two years later on August 13, 1856, the Texas legislators once again passed legislation designed to speed up the construction of rail lines in the state. The new railroad act allowed companies to receive a loan of \$6,000 from the Board of School Commissioners of Texas for every mile of track completed. Because the Texas Western planned to connect with a railroad which ran outside of the state, it was entitled by the 1856 law to receive a loan when it built as little as ten miles of track and had graded an additional ten miles. The incorporators of the Texas Western supported the various legislative changes and provided the railroad company with adequate resources with which to complete its planned line in the East Texas region.<sup>47</sup>

On August 16, 1856, the legislature officially changed the Texas Western's company name to the Southern Pacific Railroad Company. Also, a new list of incorporators was attached to the company, many of who had been formerly associated with the Texas Western: Rufus Doane, James C. Hill, William T. Scott, Willis Stewart, Samuel Bogart, E. E. Lott, L. B. Camp, James W. Throckmorton, J. D. Todd, Joseph McDougal, Thomas H. Rogers, Adam Sullivan, Joshua Starr, C. B. Holbert, Mason Mosely, and Jacob Fisher.

Despite the change in the company's name and the slight change in the list of incorporators, the railroad still had to adhere to the time limits and obligations established by the company's original charter.<sup>48</sup>

On October 5, 1856, the stockholders of the Texas Western held a meeting in New York and voted to accept the new company name. The stockholders also chose a board of directors, which included an almost even balance between individuals living in the North and those residing in the South.<sup>49</sup> The day after the meeting, the board met for the first time and elected Horatio Allen of New York as the company's president, Edwin Post of New York as vice president, S. Jaudon as company secretary, and E. A. Blanch of Marshall, Texas, as chief engineer.<sup>50</sup>

The company immediately began preparations for construction of the railroad. Because of time limitations the company had to locate its eastern terminus at the most advantageous position of the Texas and Louisiana border. The company's engineers decided on locating the terminus at Swanson's Landing on the southern shore of Caddo Lake. The location was ideal for the construction of a new rail line: The company was able to ship supplies that its crews needed for the construction of the road by way of steamboats which traveled up the Red River and entered Caddo Lake at Twelve

Mile Bayou.<sup>51</sup>

On February 11, 1858, the company completed twenty miles of track which stretched from Swanson's Landing to Jonesville, a small Texas town located between Marshall and Waskom. By the end of September, the company had constructed five additional miles of track toward Marshall. The company's chief engineer and C. A. Frazier, Judge of the Sixth Judicial District, inspected the line, certifying that the company had fulfilled the obligation of its charter. At the end of 1858, the company could boast that its rolling stock consisted of two functional locomotives and five platform cars. James Webb Throckmorton could boast that he had played a part in helping the company receive its charter from the state, serving as one of its primary supporters.<sup>52</sup>

The Southern Pacific Railroad Company had accomplished what many railroads in Texas had failed to do: It fulfilled the requirements of its charter and became operational. This was no small feat considering that most of the railroad ventures west of the Mississippi River did not fair as well. In a commercial enterprise where speculation was rampant, most investors in railroad companies never saw a return on their investments. As one historian stated, "the railroads did not pay and the people

found that the debts incurred were hard to meet, while railroad rates were high and prosperity did not ensue."<sup>53</sup> As a result, "overspeculation and overbuilding" led to a "financial depression ending in the panic of 1857, which was caused to a considerable extent by the floating of large amounts of practically worthless railroad stock and of greatly depreciated state and local bonds."<sup>54</sup> The trans-Mississippi railroads, including those in Texas, seemed to be ahead of their time. It was only after the western lines connected with the east in the 1860s that those lines began to prosper; thus, the railroads established in the 1850s in the trans-Mississippi area, including Texas, were little more than supplemental to the more vital system of river transportation.<sup>55</sup> Throckmorton could claim to be a part of one of the more success railroad ventures west of the Mississippi River prior to the outbreak of the Civil War.

A final issue which captured the attention of Representative Throckmorton during the early 1850s was frontier defense. The most dire problem confronting the people living along the Texas frontier was Indian raids. This was not a new problem in the development of American frontiers. From the first arrival of Anglos in North America, conflicts existed between the two divergently

opposed groups. Just as other southerners had done during their states' formative years, Texans in the 1850s pushed Native Americans off of their lands. As a result, the various Indian tribes of Texas sought to defend their lands by attacking white settlements along the established frontier line of state.<sup>56</sup> These Indian raids were of great interest to Representative Throckmorton because his home and his representative district in the Texas legislature were located along the North Texas frontier and were vulnerable to attack.<sup>57</sup>

One example of the type of attacks taking place in North Texas occurred in 1850 at Farmersville, Collin County. John Leary was working in his fields located near his home when he heard gun shots coming from the direction of his home. Leary's wife was firing at Indians. Leary, along with a slave, ran toward his family's cabin, and upon their arrival, John and the slave were met at the house by Indian attackers who prevented them from safely entering the cabin. Their attackers forced the two men to fight in the open with the only weapons in their possession at the time—the farming tools in their hands. As they struggled with the raiders, Mrs. Leary continued firing shots from the cabin. Apparently the defenders' efforts were effective because the Indians eventually retreated for

cover allowing the men to enter the home. With the men safely confined in the cabin, their assailants apparently decided that it would be too costly to overrun the Leary's position and abandoned the fight.<sup>58</sup>

Reacting to reports of Indian depredations such as the Leary family faced, Throckmorton wrote a letter to Governor Peter H. Bell asking for greater state assistance in protecting the people of the frontier. He wrote, "You have doubtless before this time heard of the Indian difficulties on our immediate frontier. Accounts that can be relied upon are coming in every day of the manifestations of the hostile interactions of some of the wild tribes."<sup>59</sup> After he reported of circumstances confronting the U.S. troops at Fort Phantom Hill and Fort Belknap, Throckmorton encouraged Governor Bell to "order out a sufficient force for the protection of the frontier, and to be held in readiness to aid, if necessary, in sustaining the U. S. troops at the different stations [on the frontier]."<sup>60</sup>

Throckmorton also told the governor that his constituents believed the U.S. military had failed to protect the frontier adequately and that it was necessary for them to assume the task of ensuring their own safety. On this matter, he wrote, "I have been requested by my fellow citizens to request of you [Governor Bell], in case

you should order out a volunteer force, to authorize Maj. George W. Barnett of this county [Collin] to raise a company."<sup>61</sup> The North Texas representative continued, "In mentioning the name of Maj. Barnett I need only say to you that he has the entire confidence of the entire community. . . . I have been looking for a demonstration by the Indians upon the northern frontier—I was this spring above the Belknap—I was there satisfied of their intentions."<sup>62</sup> After observing the conditions in the Belknap area, Throckmorton concluded his letter by giving his opinion regarding the effectiveness of U.S. troops on the Texas frontier. He wrote that he was of the opinion that "it is absolutely necessary that a sufficient force should be raised and a campaign made upon the sources of Brazos and Upper Red River—the U.S. Government have wilfully neglected to properly protect us, and I see no other alternative than to do it ourselves."<sup>63</sup>

Throckmorton's suggestion that the U. S. Army had not effectively protected the frontier settlements was partly based on solid evidence. Despite the U. S. Army's best efforts, the troop strength along the Texas frontier proved inadequate for the purposes of protecting settlers. Most of the frontier garrisons maintained only one company of soldiers and often these men were too sick to perform their

duties. Because most of the frontier companies were less than full strength and due to rampant illness among the soldiers, the garrisons frequently had only twelve or fifteen men fit for duty each day. In addition, many of the frontier soldiers were infantrymen who had little experience riding horses, and even those individuals who had minimal knowledge with draft animals proved to be no match for the mounted warriors that they confronted. Morale among the soldiers was dismal at best in these conditions. As a result of these circumstances, many Texans, such as Throckmorton, began to demand that a more realistic system of defense be initiated on the frontier. Most of the residents of the Lone Star State encouraged the use of state ranger forces to aid the federal government's efforts. While the United States inaugurated a variety of defense programs, the results remained limited throughout the 1850s, and by the 1860s, most frontier Texans believed that they could protect themselves more effectively than the soldiers in the U. S. Army.<sup>64</sup>

Governor Bell apparently agreed with Throckmorton's assessment of frontier conditions and the need for additional defense. In an address to the extra session of the Fourth Texas Legislature on January 13, 1853, Governor Bell appealed for state funding of frontier defense. After

revealing the hostile conditions on the frontier, Bell stated that he had repeatedly asked the federal government for additional aid for defense. According to Bell, the Secretary of War had notified him that President Millard Fillmore had asked Congress for additional men on the Texas frontier, but Congress had adjourned without taking any action. Governor Bell stated that the Secretary's statement represented "an unqualified admission . . . that the United States had failed to give adequate protection to the frontier."<sup>65</sup>

Frontier defense remained a concern for Throckmorton throughout the 1850s. In March 1853, the Collin County representative made a speech favoring a bill calling for the legislature to appropriate money to cover the expenses of volunteer companies on the frontier. His speech seemed to be well received by the other legislators because they voted to pass a bill that covered the volunteers' expenses. Additional legislative acts which were designed to provide greater protection on the frontier were passed between 1855 and 1857, and in every case Throckmorton cast his vote in favor of defending the settlers living on the fringes of Texas society.<sup>66</sup>

During the years that Throckmorton served in the Texas House of Representatives, he remained dedicated to issues

that directly affected his constituency. He had devoted much of his attention to settling land claims in the Peters Colony, developing railroads that would benefit the North Texas region, and attempting to provide more efficient and adequate frontier defense to guard against the numerous raids on the Texas settlements. His actions revealed his commitment to goals that earlier settlers established upon arriving to the North Texas frontier. Throckmorton, like his constituents, sought to preserve the frontier for white yeoman farmers and to protect them from the domination of slaveowning planters. In many ways the hatred of the planter class also influenced the North Texans view of the slaves. In part, they viewed the slaves as the most visible sign of the wealth and power of their owners. As a result, the people of the frontier attempted to create a society that allowed them to retain political, economic, and social control of their lives. To accomplish this goal, they supported preserving the whiteness of the land that they had carved from the wilderness. However, the white settler's disdain of the slaves did not purely stem from their hatred of the planter class: They also strongly supported the traditional southern views of white supremacy. Evidence of the settlers' racist views was first evident in the desire to remove the Native Americans

from their ancestral lands. Throckmorton's political actions were clearly aligned to these frontier goals. In an effort to prevent the intrusion of the slaveowning planters, he tirelessly worked to protect small farmers' land claims in North Texas and diligently supported the development of railroads to ensure their economic prosperity throughout his early political career. Additionally, Throckmorton called on state government to protect his constituents from Native American incursions, believing that the Native Americans had no place in white society.

When the sectional conflict over slavery in the late 1850s and early 1860s created a widening rift between the northern and southern states, Throckmorton's task of protecting the frontier from the domination of slaveholders was challenged by forces beyond his control. As Texas embraced the fanaticism of secession in 1861, Collin County's guardian of the frontier was forced to make difficult political decisions which would lead the former physician to follow paths that he would have otherwise avoided.

## Endnotes

1. H. W. Brands, *The Age of Gold: The California Gold Rush and the New American Dream* (New York: Doubleday, 2002), 246 and 292.

2. David M. Potter, *The Impending Crisis, 1848-1861* (New York: Harper & Row, Publisher, 1976), 94; William J. Cooper, Jr. and Thomas E. Terrill, *The American South: A History*, 2<sup>nd</sup> Edition (New York: McGraw-Hill Companies, Inc., 1996), 290-94.

3. Ibid., 294; Randolph B. Campbell, *Gone to Texas: A History of the Lone Star State* (New York: Oxford University Press, 2003), 235; Richardson, et al., *Texas: The Lone Star State*, 165; Calvert, et al., *The History of Texas*, 133-34; Dudley G. Wooten, ed., *A Comprehensive History of Texas, 1685 to 1897*, Volume II (Dallas: William G. Scarff, 1898), 29-30; Mark J. Stegmaier, *Texas, New Mexico, and the Compromise of 1850: Boundary Dispute & Sectional Crisis* (Kent: Kent State University Press, 1996), passim.

4. Potter, *The Impending Crisis*, 109-112.

5. Texas Legislature. *Members of the Texas Legislature, 1846-1980* (1980), 11, 18, 23, 26, 31. Throckmorton was elected to the Texas House of Representatives in 1851, 1853, and 1855. He was elected to the Texas Senate in 1857 and 1859. For further information on Throckmorton's various state elections and for verification of Throckmorton's election victories see the following newspaper accounts: *Clarksville Northern Standard*, September 13, 1851, August 13, 1853; August 25, 1855; *Austin Texas State Gazette*, June 11, 1853 and August 20, 1853. Also see Elliott, *Leathercoat*, 15-16 for more information on Throckmorton's 1851 campaign and election victory. Throckmorton's membership in the Whig party is evident from two different newspaper articles appearing in the *Austin Texas State Gazette* describing the Texas Whig's presidential conventions which were held at Houston and Tyler. The newspaper accounts state that Throckmorton was elected as a district elector for the eastern districts of the state at the Tyler convention. Also, Texas Whig principles were mentioned very briefly in the article, stating that the Whigs "adopted resolutions approving the administration of Mr. Fillmore; in favor of internal improvements by the Federal Government; and the Tyler convention also passed resolutions in favor of amending the State Constitution so as to permit the chartering of banks. This shows that Texas whiggery is no counterfeit, but that it is indeed and in fact . . . alive and ready to fight vigorously for its ancient creed." For more on the Whigs conventions in Tyler and Houston see the *Austin Texas State Gazette*, May 8, 1852 and May 22, 1852.

6. Holbert, "The Public Career of James Webb Throckmorton," 11; Lynch, "J. W. Throckmorton."

7. Special Joint House and Senate Report in *Journal of the Texas House of Representatives, Fourth Legislature*, 477-486; Spaw, Patsy McDonald, ed., *The Texas Senate: Republic to Civil War, 1836-1861*, 229; Connor, *The Peters Colony of Texas*, 137.

8. Elliott, *Leathercoat*, 20-21.

9. *Ibid.*, 19-20. The legislature passed a law on December 2, 1850, which authorized settlers in the Peters Colony to intervene in colony contract suits where they had an interest. The litigation which grew out of this law because land titles could not be issued by the State, and as a consequence the company instituted a suit against the General Land Office, which suit was pending when the Fourth Legislature met in November 1851.

10. *Ibid.*, 21-22; *Journal of the Texas House of Representatives, Fourth Legislature*, 484; H. P. N. Gammel, *Laws of Texas*, Vol. III, 950-957; Strambaugh, *Collin County*, 26-27; Connor, *Kentucky Colonization in Texas*, 56. Connor states that John H. Reagan, the primary legal representative of the settlers, strongly opposed the compromise law of 1852. Reagan believed that the report which the legislature based the compromise law on was fraudulent.

11. Benjamin Harvey Good, "John Henninger Reagan" (Ph.D. diss., University of Texas, 1932), 70; Connor, *Kentucky Colonization in Texas*, 59; Elliott, *Leathercoat*, 22.

12. *Ibid.*, 22-24; Joe T. Timmons, "Texas on the Road to Secession" (Ph.D. diss., University of Chicago, 1973), 110.

13. Elliott, *Leathercoat*, 24; *Austin Texas State Gazette*, September 11, 1852; Timmons, "Texas on the Road to Secession," 110; Strambaugh, *Collin County*, 27.

14. *Ibid.*; Elliott, *Leathercoat*, 24-26.

15. *Ibid.*, 26-27; Connor, *Kentucky Colonization in Texas*, 59; Connor, *The Peters Colony of Texas*, 143-45; *The Journal of the Texas House of Representatives, Fourth Legislature, Extra Session*, 33 and 34; *Clarksville Northern Standard*, August 7, 1852 and September 10, 1853.

16. *Ibid.*; Connor, *Kentucky Colonization in Texas*, 59; Timmons, "Texas on the Road to Secession," 111; Elliott, *Leathercoat*, 27-28; *Austin Southwestern*, January 29, 1853. In a letter to the editor of the *Austin Southwestern*, Throckmorton agreed with the colonists that Hedgcoxe had been the center of their problems with the Texas Emigration and Land Company, but the delegates still called for his resignation from the Texas House of Representatives.

17. *Clarksville Northern Standard*, August 7, 1852; Timmons, "Texas on the Road to Secession," 111-12; Elliott, *Leathercoat*, 29.

18. *Ibid.*, 29-30.

19. Throckmorton to Governor Peter H. Bell, September 15, 1852. Records of Peter Hansborough Bell. (Texas Office of the Governor. Archives Division. Texas State Library), hereinafter cited as TOG/AD/TSL. According to the notation made on the letter, Throckmorton's resignation was accepted on October 6, 1852.

20. *The Journal of the Texas House of Representatives, Extra Special Session, Fourth Legislature, 4*; *Clarksville Northern Standard*, November 13, 1852; Connor, *The Peters Colony of Texas*, 143-45; Connor, *Kentucky Colonization in Texas*, 59; Timmons, "Texas on the Road to Secession," 112; Elliott, *Leathercoat*, 30-31.

21. *Ibid.*, 31-32; *The Journal of the Texas House of Representatives, Extra Session, Fourth Legislature*, 252-254.

22. *The Journal of the Texas House of Representatives, Fourth Legislature*, 477-486; Elliott, *Leathercoat*, 32.

23. Cooper and Terrill, *The American South: A History*, 305-306.

24. *Ibid.*

25. R. R. Russel, "A Revaluation of the Period Before the Civil War: Railroads," *Mississippi Valley Historical Review* 15 (December 1928), 346.

26. *Ibid.*, 346 and 352; Walter Buenger, "Stilling the Voice of Reason," 22; Oran Lonnie Sinclair, "Crossroads of Conviction: A Study of the Texas Political Mind, 1856-1861" (Ph.D. diss., Rice University, 1975): 34.

27. Shaefer, "Locational Choice in the Antebellum South," 163-64; United States Bureau of the Census. Seventh Census of the United States, 1850. Schedule XI (Agriculture). The census record wheat production at 2,433 bushels of wheat in Collin County; *Clarksville Northern Standard*, November 29, 1856, discusses the agricultural potential of North Texas; Russel, "A Revaluation of the Period Before the Civil War: Railroads," 346-47. Also see *Austin Texas State Gazette*, November 1, 1853 and the *Clarksville Northern Standard*, August 30, 1856, for specific motives of Texas residents concerning the development of a transcontinental railroad route through Texas. Shaefer quantitative analysis of migration in the antebellum South clearly reveals the divide between yeoman farmers and planters. He correctly contends that small farmers could not economically compete with the planters and therefore moved to frontier regions in order to become self-sufficient. Shaefer also states that yeoman farmers did not want to live in areas numerically dominated by slaves and plantations. The author also reminds scholars that settlers migrating from the northern states (Ohio, Indiana, Illinois, Michigan, and Iowa) were characteristically racist. Given that many of the settlers in the North Texas region migrated from the above mentioned northern states and the Upper South, it seems likely that Shaefer's conclusions are valid for the Red River counties.

28. Fowler, "The Origin of the Texas Railroad Commission," 9; Sinclair, "Crossroads of Conviction," 34.

29. Campbell, *Gone To Texas*, 212; John Martin Brockman, "Railroads, Radicals, and Democrats: A Study in Texas Politics, 1865-1900" (Ph.D. diss., University of Texas at Austin, 1975): 2-5.

30. Gammel, *Laws of Texas*, Vol. III, 72-79, and IV, 12; *The Journal of the Texas House of Representatives, Sixth Legislature*, 121-22; Elliott, *Leathercoat*, 33-34.

31. Ibid., 34-35; *The Journal of the Texas House of Representatives, Sixth Legislature*, November 28, 1855, 121.

32. Elliott, *Leathercoat*, 36.

33. *The Journal of the Texas House of Representatives, Sixth Legislature*, 290-91; Elliott, *Leathercoat*, 36.

34. Ibid.

35. Ibid., 37.

36. Ibid., 36-37; Gammel, *Laws of Texas*, Vol. IV, 209.

37. Elliott, *Leathercoat*, 38.

38. Ibid.; Gammel, *Laws of Texas*, Vol. IV., 474-75.

39. Elliott, *Leathercoat*, 38; Gammel, *Laws of Texas*, Vol. IV., 474-75.

40. *Austin Texas State Gazette*, December 6, 1851. The major issues discussed at this convention included, but were not limited to, the following questions: How would the railroad be funded? Where would a transcontinental line bisect Texas—North Texas, Central Texas, or South Texas? Would land be granted to the railroad companies? The questions were important because they were taken up by the legislature between 1852 and 1857. Prominent Texas railroad men present at the convention included E. E. Lott (Smith County), W. T. Scott (Harrison County), S. A. Maverick (Bexar County), J. W. Flanagan (Rusk County), David C. Dickson (Grimes County), I. A. Paschal (Bexar County), Roger Q. Mills (Anderson County), and Jon W. Dancy (Fayette County).

41. Ibid., November 1, 1853; *Clarksville Northern Standard*, October 15, 1853.

42. Ibid., *Austin Texas State Gazette*, November 1, 1853. Special care of the state meant financial support to the road in the form of directing funding, donations of land, or taxation on the people for the purpose of railroad development.

43. Ibid.; A. B. Armstrong, "Origins of the Texas and Pacific Railway," *Southwestern Historical Quarterly* 56 (April 1953): 497. Armstrong defines the Memphis, El Paso, and Pacific Railroad "as the forerunner of the Northern or, as it was sometimes called, the Transcontinental Division of the Texas and Pacific [later after it was made part of the T&P]. The original company [M. E. & P.] proposed to build from a point opposite Fulton, Arkansas, westward along the southern banks of the Red River, down to El Paso, and on to the Pacific Ocean." Construction was scheduled to begin in 1857, but plans were later abandoned when the Red River was obstructed was blocked by an

accumulation of driftwood, locally called the "great raft." The Memphis, El Paso, and Pacific was later acquired by the Southern Transcontinental Railroad Company, which in turn became part of the Texas and Pacific.

44. Ibid., 491; Emilia Gay Means, "East Texas and the Transcontinental Railroad," *East Texas Historical Journal* 25 (Fall 1987): 49.

45. For more details concerning the debate over Throckmorton's proposal that the Memphis, El Paso, and Pacific's fate see the following dates of the *Clarksville Northern Standard*, September 6, 13, and 20, 1856; October 11 and 25 1856; November 29, 1856; September 12, 1857; October 10, 1857.

46. Means, "East Texas and the Transcontinental Railroad," 49-50.

47. Ibid., 50; Armstrong, "Origins of the Texas and Pacific Railway," 491-92.

48. Ibid., 491; Means "East Texas and the Transcontinental Railroad," 50.

49. Ibid. Means identifies the Southern Pacific's Board of Directors as the following: Charles Stewart Todd, a newly arrived resident of Texas in 1850; Horatio Allen, a civil engineer from New York; Richard T. Archer, a planter from Mississippi; R. M. Diamond of Rhode Island, T. Butler King of Georgia; R. M. Stratton of New York; George D. Post of New York; R. J. Walker of Washington; Edwin Post of New York; Michael G. Bright of Indiana; S. F. Buttersworth of New York; W. Cook of New Jersey; William T. Schoot, M. J. Hall, J. P. Henderson, W. R. D. Ward, and J. Taylor of Texas.

50. Ibid., 50-51; Armstrong, "Origins of the Texas and Pacific Railroad," 492. Armstrong reveals that the home office was moved from New York to New Orleans in 1857 and George S. Yerger was named the company's new president.

51. Means, "East Texas and the Transcontinental Railroad," 51.

52. Ibid.; Armstrong, "Origins of the Texas and Pacific Railroad," 494-95.

53. Robert E. Riegel, "Trans-Mississippi Railroads During the Fifties," *Mississippi Valley Historical Review* 10 (September 1923): 171.

54. Ibid.

55. Ibid., 171-72.

56. Michael L. Tate, "Frontier Defense on the Comanche Ranges of Northwest Texas, 1846-1860," *Great Plains Journal* 11 (1971): 43-44. Tate defines the frontier line in 1849 as being located between the Ft. Worth and Ft. Duncan. The initial forts located on the 1849 frontier

line included Graham, Gates, Croghan, Martin Scott, Lincoln, and Inge. By the end of the summer of 1852, the frontier line had moved further west and a new line of forts was being constructed, including Fort Belknap, Phantom Hill, Chadbourne, McKavett, Mason, and Terret.

57. Tate, "Frontier Defense on the Comanche Ranges of Northwest Texas," 41-52. Tate's article offers a concise but very informative overview frontier defense prior to the Civil War.

58. Massey, "A History of Collin County," 26.

59. "Letter from Throckmorton to Peter H. Bell," July 30, 1852. Records of Peter Hansborough Bell. TOG/AD/TSL.

60. Ibid.

61. Ibid.

62. Ibid.

63. Ibid.

64. Tate, "Frontier Defense on the Comanche Ranges of Northwest Texas," 43-52. For further discussion of United States Indian policy in Texas prior to the Civil War see George D. Harmon, "The United States Indian Policy in Texas, 1845-1860," *Mississippi Valley Historical Review* 17 (December 1930): 377-403.

65. Holbert, "The Public Career of James Webb Throckmorton," 19; *The Journal of the Texas House of Representatives, Fourth Legislature, Extra Session*, 11-37.

66. Patsy McDonald Spaw, ed., *The Texas Senate: Republic to Civil War, 1836-1861*, 263 and 284-87.

## CHAPTER IV

## THE STORM OF PASSION AND SECTIONAL HATRED, 1857-1861

Between 1857 and 1861 Throckmorton continued to protect the interests of the small farmers in North Texas by focusing his attention on railroad development and frontier defense; however, he found it increasingly difficult to concentrate his efforts on these political objectives because sectional debates about slavery began to force Texas politics into new directions. Citizens in all sections of the United States realized that the period of calm which followed the Compromise of 1850 was coming to an abrupt end.<sup>1</sup> In response to national events taking place during the 1850s, southern politicians, even those on the southern frontier, were forced to choose between remaining loyal to the United States or joining the radical movement for secession. As Texans pondered the legitimacy of secession during this period, Unionists in the state attempted to ward off the efforts of the secessionists. The Unionists' undertakings proved to be in vain as the secession movement grew too powerful to be averted.<sup>2</sup>

Throckmorton's experience on the frontier and his early affiliation with the Whig party led him to oppose the fanaticism of secession. In part, his Unionism can be

explained by his adherence to the conservative Whig ideology which called for political stability, economic growth, and an enduring attachment to traditional American and Protestant values. These Whiggish views closely coincided with the local issues that Throckmorton championed—frontier defense and railroad development. There was little doubt in Throckmorton's mind that these two issues could only be achieved within the Union.<sup>3</sup> He realized that the development of a transcontinental railroad running through Texas depended on northern investment capital, and he knew that northern and western markets would prove vital to the future prosperity of the North Texas region. His judgments seem well founded considering that southern slaveowners typically were satisfied with using rivers to transport their cotton to coastal ports where it was forwarded to markets in northeastern United States and Europe. From their perspective, planters had little need for a transcontinental railway.

Likewise, the senator from North Texas understood that the United States military was necessary for the protection of the Texas frontier. Even though Texans, including Throckmorton himself, had criticized the U. S. Army's tactics on the frontier, the military was fairly effective

within close proximity to their assigned posts.

Furthermore, the army troops on the frontier served as a potential market for North Texas crops, especially wheat and corn. The absence of the military would leave North Texans exposed to the increasing threats of Indian raids and a shrinking economy.<sup>4</sup>

Throckmorton's loyalty to the Union was also directly related to the nationalist principles of the Whig party. The Whigs throughout the late 1840s and 1850s believed that the rights of individual citizens were more secure in the Union. Therefore, they tended to oppose the southern Democrats ideology of states' rights. In this regard, Throckmorton and other like-minded Whigs in the Upper South believed that the Federal government could protect nonslaveholding southerners from the political, economic, and social domination of the planter class. Foremost in the minds of the Whigs was the belief that if the planter class controlled southern society, the nonslaveowning class would become white slaves to the planters. Unfortunately for the Whigs in Texas, they witnessed the decline of their party in the mid-1850s as it became the first victim of the sectional debates over the Kansas-Nebraska Act.<sup>5</sup>

Texans were once again confronted with the slavery question in 1854 with the passage of the Kansas-Nebraska

Act. Basically, this act repealed the Missouri Compromise of 1820 that had prohibited the extension of slavery in the Louisiana Territory above the 36° 30' line of latitude. It replaced the former restriction with an idea known as "popular sovereignty." Thus, the first legislatures elected in the Kansas and Nebraska territories could decide whether or not slavery would exist within their regions. The act outraged antislavery supporters in the North who viewed the measure as a triumph for pro-slavery advocates and pleased southern slaveholders who saw the possibility of spreading their peculiar institution westward.<sup>6</sup>

Senator Sam Houston voted against the Kansas-Nebraska Act. He argued that United States Constitution did not allow territories to govern themselves and that treaties between the United States and the Native Americans living in the land west of the Missouri River had already dictated that the territorial land in question belonged to the native inhabitants.<sup>7</sup> Additionally, Senator Houston tried to appeal to the common sense of southern slaveowners by stating that "no event of the future is more visible to my perception than that, if the Missouri Compromise is repealed, at some future day the South will be overwhelmed."<sup>8</sup> Houston correctly pointed out that

sectional differences would boil over in the fight to gain dominance in the territories.

Loyal unionists in Texas approved of Sam Houston's negative vote for the act, but pro-slavery Democrats ardently opposed the senator's stance viewing it as a direct challenge to the future of the South's peculiar institution. This single issue served as the point of origin for divisions in Texas between Unionists and Secessionists. Additionally, the act effectively divided the national Whig Party into northern and southern contingents, a consequence which eventually caused the party to become ineffective. Even though Whigs hoped that their party unity could be revitalized in time for the 1856 presidential election, many Whigs understood that their party was all but dead. As a result, Texas Whigs, including Throckmorton, began to seek new ways to achieve their political objectives. A significant number of Texas Unionists, like Sam Houston, entertained joining the newly formed American Party, also known as the Know-Nothing party, but others, including Throckmorton, eventually decided to join the well-entrenched Democratic Party, believing that they could wrestle control of the party away from its more radical slaveholding members.<sup>9</sup>

The divisions caused by the Kansas-Nebraska Act

continued into the 1857 gubernatorial election. After Houston's vote on the Kansas-Nebraska bill, many Texas Democrats pressured him to resign his senate seat; but rather than cowering to their demands, Houston decided to openly confront his Texas critics in the state's gubernatorial election of 1857. At the same time, Democrats held a nominating convention at the Baptist Church in Waco in early May. It was clear that pro-slavery Democrats controlled the convention when Louis T. Whigfall and Thomas P. Ochiltree, both secessionists, assumed leadership roles. Also, the platform committee endorsed the Kentucky and Virginia Resolutions of 1798 in which Thomas Jefferson and James Madison explained the states' rights doctrine of interposition. The committee argued that states had the power to annul Federal laws if those laws were deemed unconstitutional, an argument which was put forth earlier by Senator John C. Calhoun of South Carolina. Whigfall and other radical pro-slavery delegates also supported reopening the African slave trade, stating that every white man in the South should own at least one slave. Nevertheless, the final draft of the platform did not address this more radical position. Though the delegates did not openly support opening the African slave trade, they did endorse Hardin Runnels, an ardent

secessionist, as their gubernatorial candidate.<sup>10</sup>

Throckmorton represented Collin County at the Waco Convention, but evidence suggests that he played a limited role in the convention's final decisions. From the printed proceedings, it seems apparent that Throckmorton seemed to assume a position counter to his core values, perhaps due to political expediency. As a new member of the Democratic party, he undoubtedly felt compelled to give at least limited support to the pro-southern platform formalized in the convention and supported Runnels for governor.<sup>11</sup> However, Throckmorton did not completely abandon his earlier political principles in his effort to gain a position within his new party. As a strong advocate of internal improvements, he supported J. G. Stewart's resolutions of May 5. Stewart, a representative from Anderson County, resolved that the "completion of the Pacific Railroad, is the great enterprise of the day; an enterprise containing elements within itself susceptible of uniting every fiber of our Union into one inseparable body."<sup>12</sup> In a separate resolution, Stewart offered a solution to problems associated with the United States Constitutional prohibition against banking and internal improvements. He stated "that inasmuch as there is a difference of opinion as to expediency and propriety of

that clause of the Constitution which prohibits Banking and Internal Improvements, aided by the State; and, as all power is vested in the people, in order that they may have an opportunity to still this vexed question themselves, the Democracy recommends to the next Legislature of Texas the propriety of presenting a resolution to the people . . . in order that the people may either re-affirm or reject said clause."<sup>13</sup> Much to the disappointment of Stewart and his supporters, the resolutions were tabled and forgotten.<sup>14</sup> For the states' rights delegates at Waco, talk of aligning the state more closely with the Union was unacceptable.

With their candidacies solidified, Houston and Runnels quickly began their gubernatorial campaigns. The campaign efforts of both men proved ugly. Cris-crossing Texas in a crimson buggy, the Hero of San Jacinto made speeches throughout the summer attacking the policies of his opponents and heralding his own political record. In an attempt to stall Houston's momentum, Louis T. Whigfall and W. S. Oldham, both Runnels supporters, followed the Texas sage claiming that the senator had betrayed the rights of southerners because of his own selfish desire to gain northern antislavery support for a possible presidential nomination. Senator Houston often countered the remarks of his detractors with his own stinging indictments. A. W.

Terrell, a member of the anti-Houston faction, recalled that Houston closed one of his East Texas speeches by stating that "he understood a man named Whiggletail [Wigfall] would follow him—that he was an assassin, nullifier and a common liar, and that those who were fond of lies might remain and hear him."<sup>15</sup>

Houston's attempt to counter the negative pronouncements of his opponents proved to be an impossible task: Whigfall and Oldham's comments seemed to resonate with the Texas voters. Perhaps anti-Houston Democrats' claims might have fallen on deaf ears, but Houston unwittingly gave his opponents arguments validity as he vigorously defending his voting record in Congress, including his negative vote on the Kansas-Nebraska bill. Additionally, Houston's lukewarm support of anti-immigration American Party candidates in 1855 turned German and Tejano voters against him. As a result, Runnels defeated Sam Houston for the governorship by a vote of 36,527 to 23,628. The election proved historic for Houston; it was the first and last time that he lost a political contest. More importantly for Texans, the election represented a solid defeat for Unionism in the Lone Star State.<sup>16</sup>

Throckmorton fared better than Houston in the

elections of 1857: North Texas voters sent their favorite son to the Texas senate. They believed that he would continue to represent their interest within the Democratic party. Their faith in him seemed to be well founded. Between 1857 and 1859, the North Texas senator continued to work on railroad development and frontier defense in the state senate, and he also became increasingly critical of the fanatical secessionist position of the Runnels administration.<sup>17</sup>

While evidence does not directly reveal the extent of Throckmorton's concern over the ultra-southern position in Texas between 1857 and 1859, it seems certain that he would have agreed with the views espoused by fellow Unionist John H. Reagan who was elected to the U. S. House of Representatives in 1857.<sup>18</sup> During this time Reagan outlined his stand against the radical southern perspective: He stated that he was "in favor of the preservation of the Union under the Constitution as made by the [founding] fathers, and that [he] was opposed to the Abolitionists of the North and to the Secessionists of the South." In regards to filibustering activities, such as the actions of the infamous William Walker in Nicaragua, Representative Reagan further stated that he "was opposed to filibustering because we would not be justified in morals or in law in

making war on and murdering and robbing people who had done us no harm, as a matter of political policy." Commenting on the call to reopen the African slave trade, Reagan stated that he was "opposed to [it], independently of any question of morality, because the United States had treaty engagements with a number of great nations, prohibiting that trade . . . and because a majority of the people of the United States were opposed to it . . . and because it was impracticable, unreasonable, unjust, and unstatesmanlike."<sup>19</sup> Throckmorton later echoed these same sentiments prior to the state elections of 1859 in Texas. Given that the Runnels Administration embraced the revival of the African slave trade, filibustering activities in Latin America, and secession, Throckmorton's desire to protect the frontier from planter domination increasingly led him to oppose the Democratic leadership in Texas.<sup>20</sup>

Other issues which Throckmorton became concerned with regarding the Runnels administration were more closely related to the North Texas senator's local concerns—frontier defense and the development of a transcontinental railroad through the state. In a message to the Eighth Texas Legislature Governor Runnels made clear that he did not believe that Texas volunteer forces would be enough to sustain adequate protection of the frontier and questioned

whether or not it was appropriate for Texas to place additional troops on the frontier. According to the governor, this was squarely the responsibility of the United States government. Runnels stated that "it is the duty of the Federal Government to afford the protection required, and that the expense is one which the State should not properly be encumbered with."<sup>21</sup> The governor's position did not please men, like Senator Throckmorton, who believed strongly in the protection of the frontier regardless of the cost.

Governor Runnels also proved to be an obstacle to the development of railroads which promised to aid the development of the North Texas region. On February 4, 1858, the governor sent a message to the legislature explaining his veto of a bill designed to give the Memphis, El Paso, and Pacific Railroad Company additional time to fulfill the terms of its charter. The original charter had granted the company four years to grade one hundred miles of road: The proposed amendment allowed the company an additional six years to grade half the original distance. Runnels stated that "there is, and can be to my mind, no good reason existing for such extraordinary delay. By it, not only the hopes of those who have been induced to embark their means in the enterprise, are unnecessarily deferred

and disappointed, but the object, which may be presumed to have controlled the State, in granting the charter is defeated, and its consideration is forfeited."<sup>22</sup>

Additionally, Governor Runnels vetoed a bill to reinstate the Texas Western Railroad Company. According to Runnels the company had "never made any report, under the general railroad law; and there is no official information that any stock has ever been subscribed, or that a dollar in money has been paid" despite the fact that the company's original charter had been granted six years earlier.<sup>23</sup>

Runnels further stated "the Memphis, El Paso and Pacific, and the Southern Pacific, all have the right to run on the same line. This charter is believed to have been once sold to the Pacific Railroad Company, and if that contract has ever been annulled there is no stipulation in the present bill against a repetition of the abuse hereafter."<sup>24</sup>

The politically astute Throckmorton viewed Governor Runnels' political actions as an obstacle to local issues which mattered most to his North Texas constituents. Protection from Indian depredations was a critical issue to voters who lived along the Texas frontier, and the economic prosperity of the North Texas region depended on the development of the railroad companies that Runnels opposed. Throckmorton's commitment to these local issues, which

stemmed from the desire to keep planter and their slaves from invading the frontier and his conservative Whig economic principles, does much to explain his strong support of the Union in the latter part of the 1850s.

On April 9 in McKinney, local Democrats in Collin County met and elected Throckmorton to represent their county at the Democratic convention that was slated to convene on May 2 in Houston. Additionally, members of the local meeting announced their support for two politicians in the upcoming state elections: They called for the re-election of John H. Reagan to the U. S. Congress and for the election of Samuel Bogart as the party's nominee for Lieutenant Governor. Throckmorton agreed with the endorsement of these two politicians, respecting the political views and accomplishments of both men.<sup>25</sup> Throckmorton's role at the Houston convention proved to be just as limited as it was two years earlier in Waco, but it appears that he worked behind the scenes to garner support for Bogart and Reagan.

The political division between loyal Unionists and pro-slavery Democrats became more evident in the 1859 gubernatorial election. The campaign began on May 2 when the Texas Democrats held their convention in Houston. After organizing the convention, the delegates worked on

their party's state platform: They immediately voted to adopt the Waco platform of 1857 in its entirety. Additionally, the members of the convention declared the Dred Scott decision to be a valid exposition of the constitution; claimed that territorial legislatures had no right to prevent the extension of slavery from the western territories; and declared that Cuba should be made part of the United States as quickly as possible. A resolution promoting the reopening of the African slave trade, however, was defeated by a vote of 228 to 81, and a resolution condemning the African slave trade was tabled by a unanimous vote. The members of the convention then nominated Governor Runnels for reelection.<sup>26</sup>

The nomination of Runnels and the Democratic platform caused great concern among Texas Unionists in the Democratic party, especially Throckmorton and his frontier constituency.<sup>27</sup> As a member of the Texas legislature between 1851 and 1859, Throckmorton remained concerned with local issues. However, in the 1859 gubernatorial election, he was faced with choosing sides in the sectional debates that threatened to rip the country apart. His choices were evident: He had to either join radical Democrats in support of Runnels or join the Unionists in their support of Houston. He chose to stand with Houston.<sup>28</sup>

Throckmorton's support of Houston was multifaceted. One of the factors for the North Texan's support was Houston's view toward railroad development. In a broadside published before the gubernatorial election, Houston's supporters defended the Texas sage's railroad policy. They stated that "Gen. Houston is not only in favor of the present bonus of 16 sections per mile to Railroads, but originally advocated the granting of 20 instead of 16 sections." Houston's supporters continued, "Thanks to the action and influential exertions of Generals Houston and [Thomas] Rusk, we are mainly indebted for the magnificent arrangement by which we sold a part of the Sante Fe territory to the General Government, and thereby enabled Texas . . . to leave a large surplus to aid in building our Railroads." Printed on this same broadside was a Houston letter in which the Senator stated that "other subjects than those of a local nature have engrossed my attention, but should I be elected Governor, I will not fail to give my especial attention to the subject of railroads, as well as to other subjects, connected with the general interest and prosperity of the country."<sup>29</sup> Given Runnels and Houston's opposing views regarding railroad development, it is little wonder that Throckmorton aligned himself with Houston.<sup>30</sup>

Furthermore, circumstance on the frontier was becoming increasingly volatile. A public meeting was held at McKinney for the purpose of expressing concern about Indian depredations on the northern frontier of Texas.

Throckmorton presided over the meeting and endorsed its resolutions. Representing the concerns of Collin County's citizenry, members of a resolution committee wrote that the delegates at the meeting were in sympathy "with our frontier brethren in their difficulties, and that [they wanted to] give them all the aid in [their] power towards removing the Indians North of the Red River."

Additionally, the resolution committee held that Collin County citizens should "assist our brethren in the protection of their homes, their firesides and their families, from depredations of the savages" and that "the Indians in the Reserve [in Oklahoma] must be removed, or the homes of the frontiersman must be abandoned."<sup>31</sup> Many Texans believed that Houston would be more effective in eliciting Federal funding and troops for frontier defense. This belief gave Throckmorton another sound reason for supporting the Houston camp.<sup>32</sup> As a result of his support of Senator Houston, Throckmorton toured his North Texas district in support of the aging Texas hero.<sup>33</sup>

With the 1859 gubernatorial race hinging on Runnels

inability to provide adequate frontier protection and his ultra-southern stance, Houston won the election by a vote of 36,227 to 27,500.<sup>34</sup> Edward Clark became lieutenant governor with 31,458 to Francis Lubbock's 30,325.<sup>35</sup> The conservative Unionists seemingly had won a victory. On August 17, Throckmorton reported in a letter to John H. Reagan that "the battle is fought and won. The enemy are routed horse, foot, and dragoons. The slave trade faction must go under."<sup>36</sup> The defeat of those politicians supporting the radical position of reopening the slave trade was important to Throckmorton and his constituents for two reasons: First, if the advocates of renewing the slave trade had been successful, Texas would have been inundated with new slaves. As a result, the planter class could have solidified their control of the state, including the North Texas frontier. This was a proposition that nonslaveholding Texans could not accept. Second, the people living in the northern frontier counties envisioned their part of the state as being a haven for white settlers. As a result, their political views were often tainted by their racist views. For example, they worked diligently to remove the Native Americans from their society, and they opposed African American migration to the frontier. It mattered little whether the Native Americans

were willing to assimilate into white society or whether African Americans were slaves or free: Non-white groups were unwelcome in their communities.

According to Senator Throckmorton, the conservative Unionists' victory was not a rebuke of the Democratic party, but rather was the righting of wrongs which had been committed at the Houston convention earlier that year. Throckmorton believed that delegates at the Houston convention had nominated unfit men for office and made an effort to lug in new issues, pledging Texas Democrats to them.<sup>37</sup> Additionally, Throckmorton began to lay the ground work for a new Union party with Reagan at its head. In trying to win Reagan to his side, Throckmorton argued that the Runnels faction blamed him [Reagan] for their defeat. He also suggested that the leaders of the Democratic party had supported his senatorial bid out of fear not because of their friendship. The North Texas senator also pointed out that Reagan was in political danger and that he should head the new political party to ensure his own political future. "If such a plan of Union is not pursued and carried out energetically, every living Union man may see the state ruled by the secessionist and slave trade men. Whenever they have the strength they will make the attack on you."<sup>38</sup>

Even with Sam Houston's victory at the polls, the

Texas Unionists lacked the organization of an effective political faction. Throckmorton realized this and set out to organize Texas Unionists, thus giving meaning to the 1859 gubernatorial election. On August 18, 1859, Throckmorton wrote Benjamin H. Epperson a letter in which he laid out his plan of organization.<sup>39</sup> Senator Throckmorton asked the rhetorical question, "How can old line Whigs and conservative men best subserve their own interests?" Then the senator proceeded to answer his own query, "Why, I say by taking that material that approaches nearest our own notions of what is right. But I wish to do more. I am for taking Reagan, and with him for a leader, build up a Conservative Union Party in Texas. This can be done by showing him his true position-and the estimation in which he is held by the Runnels faction. They curse him in their heart of hearts. Necessarily he must fall with us." Throckmorton continued, "But we must manage so as to stretch out the arms of Pease, Johnson, Smythe, and Maverick and such like to catch him when he falls, and we poor devils who have always been for the Union and the Constitution without any other mixtures must stand somewhat in the background to sustain these gentlemen."<sup>40</sup>

Despite Throckmorton's passion, Reagan questioned the decision to create a new Union party and suggested that the

Democratic party should be reformed from within. On September 9, 1859, the North Texan senator wrote to Reagan again: He stated that "I have canvassed in my mind . . . and cannot say but [that] the suggestion you make [is] correct." Throckmorton clarified his position by stating that "in [his] judgement much depends upon the course that will be adopted by those who have heretofore and who still assume to speak for the Democratic party." He continued by stating that he could only support Reagan's position "if those gentlemen who have advocated the slave trade doctrine, and who . . . have attempted to foster it upon the party as a part of its creed will back down entirely from that position, and leave the filibustering question to take care of itself, if they will in the next Democratic convention express the will of the people of Texas in opposition to the slave trade—and if they will cease their proscription of Union conservative Democrats . . . then it may be best that there should be no effort to organize the Democratic party anew."<sup>41</sup>

In the same letter, Throckmorton reminded Reagan of the difficulty which confronted Union men within the Democratic party. The senator stated "if the proper spirit is pursued by these men [secessionist Democrats], it would be well to heal the differences that have arisen during the

late canvass, which have been brewing since the Democratic convention of '56 . . . but I wish to impress upon you that your position is a delicate one and not entirely free from danger, and it depends upon the course which you pursue whether or not you can sustain your position." Continuing, Throckmorton stated "I merely allude to these things to show you that from the African slave trade men, filibusters, secessionists, etc., and the friends of Governor Runnels you have nothing to expect." Then the North Texan voiced his strongest warning to his Democratic colleague, "a temporizing course with them on your part will injure you with the strong conservative element, and will not do you any good with these men because they have determined to hunt you down." As a solution, Throckmorton stated that "my advice is to remain firm, and instead of receiving advice from them, dictate to them yourself. Show them that you do not regard their threats or machinations."<sup>42</sup> Despite the senator's plea for Reagan to lead a Unionist party, Reagan refused Throckmorton's overture to make a break from the Democratic ranks.

With his efforts to found a new Unionist party in Texas dead, Throckmorton followed Reagan's advice and attempted to reform the Democratic party from within. He began by suggesting changes to the Democratic platform, he

declared "that Congress should have the power to protect slave property in the territories; that the slave trade should not be reopened; that the states should have the right of local self-government; that filibustering should not be tolerated; and that Federal aid to the construction of the Pacific Railroad should be encouraged."

Throckmorton believed these to be the basis of a "good, strong, old-fashion Democratic platform."<sup>43</sup> Furthermore, he believed that an independent organization at the next Democratic convention should attempt to force his party to adopt a conservative platform. Such was the state of the Texas Democratic party at the time of the 1860 presidential election.<sup>44</sup>

At the same time they were attempting to reorganize the Democratic party, conservative Unionists were dealt a series of setbacks between December 1859 and the summer of 1860. During this brief period two critical events occurred which fueled the flames of secession in Texas: John Brown's raid at Harper's Ferry, Virginia, and an insurrection-arson panic which swept through East Texas. Both incidents caused fear in the hearts of Texas citizens and gave credibility to secessionist propaganda which claimed that abolitionists were making plans to kill white southerners and free the South's slave population.<sup>45</sup>

The first of these two incidents occurred in December 1859, when the noted abolitionist, John Brown, attempted to seize the Federal arsenal at Harper's Ferry and to free and arm the nearby slave population. According to his plan, Brown contrived to march his newly formed army of freed slaves southward, freeing all the slaves that he came across and killing white southerners who stood in his way. In this manner, the army of freed slaves would grow as it marched across the South: The result would be a revolution where the slaves essentially win their own freedom. Unfortunately for Brown and his fellow conspirators, his invasion never materialized: The United States army captured Brown after a brief skirmish at Harper's Ferry, and later the state of Virginia tried Brown for treason and murder. He met the hangman on December 2, 1859.

As a martyr, John Brown proved more effective. Northern abolitionists strengthened their resolve against the South's peculiar institution which in turn promoted greater fears of future attacks throughout the slaveholding states. Texans were not immune from such fears, and the citizens of the Lone Star State often blamed any accident or deviant behavior in the state on abolitionist plots designed to kill white southerners and free slaves: Logic and reason were lacking during the period following Brown's

raid, a point made clear during the summer of 1860.<sup>46</sup>

On July 8, in Dallas, Denton, and Pilot Point, several unexplained fires broke out, burning buildings in each of the North Texas towns. Immediately, Texans in the northern and eastern regions of the state blamed the fires on covert abolitionist activities. Panic swept through the Lone Star State as reports of similar incidents, some real and some false, began to circulate among the state's citizenry.<sup>47</sup> During an unseasonably hot summer, local men in every corner of the state armed themselves and patrolled the immediate areas surrounding their communities. During the frenzy, whites beat and killed blacks as well as whites suspected of inciting slave insurrections.<sup>48</sup> However, as the summer came to a close, the panic subsided almost as quickly as it had begun. Closer investigations of the fires revealed that many of the reported burnings in East Texas were exaggerated or even false and that new unstable phosphorus matches were probably the cause of the few fires which actually had occurred: Apparently the matches had spontaneously ignited on the shelves of mercantile stores as a result of the intense heat of the Texas summer.<sup>49</sup> Despite this scientific explanation of the fires, many Texans remained unconvinced and continued to place blame on a coordinated abolitionist plot to incite slave

rebellions.<sup>50</sup> Before Texans had time to erase the fires from their minds, the outcome of the presidential election of 1860 seemed to suggest that more trouble was on the horizon for southern states.

The presidential election of 1860 perhaps more than any other national event influenced the direction that Texas politics would take immediately prior to the Civil War. Abraham Lincoln's victory in the election without carrying a single southern state greatly strengthened the secessionist position in Texas. Because Throckmorton and his supporters failed to organize conservative Unionists, the secessionists easily seized control of the Democratic party in Texas and enjoyed the advantage of the strongest political institution in the state. Events outside of the state soon let them translate that advantage into a popular political movement that swept the state from the Union. Additionally, Lincoln's sectional triumph led many Texans to believe that his electoral victory represented the first step in making white southerners the slaves of Northern politicians. The only way to escape the conditions of "sectional slavery" was to secede from the Union.<sup>51</sup>

Lincoln's elevation to the presidency moved the secessionists in South Carolina toward action. In less than a week after the election, the South Carolina

legislature called for a convention to be held on December 17 to determine if the state should remain in the Union, or secede. At the same time, many Texans planned their own secession convention. On December 3, 1860, a group of Texas secession leaders asked Governor Houston to call a special session of the legislature to consider the possibility of seceding from the Union, but Houston refused. Shortly following the rejection of their proposal, the secessionists drafted and issued an address to the people of Texas urging them to send delegates to a popularly called secession convention.<sup>52</sup> They suggested that each representative district should hold local meetings on January 8 and elect delegates to the conclave which was slated to meet in Austin on January 28, 1861. Houston now realized that the secessionists were determined to meet, either in the legislature or outside of it. Thus, the governor called for a special session of the legislature to convene on January 21, just one week prior to the secessionists' called convention. Three days after Houston called for the special session of the legislature, South Carolina seceded from the Union.<sup>53</sup>

Speaking at various public meetings, Throckmorton espoused his opposition to secession. At a meeting in Plano on December 13, the Collin County politician had the

opportunity to argue against leaving the Union. Reverend T. J. Malone, who presided over the meeting, called for the formation of a committee to draw up resolutions expressing the county's support for secession. Once completed, the members planned to forward their resolutions to the state legislature. Though many of the attendees favored secession, the leadership still invited Throckmorton to express his support of the Union. In his address, the North Texas politician offered an alternative to secession. He suggested that the southern states should hold a general convention for the purpose of formulating a cooperative plan of action that would force the Federal government to address the South's concern under the Constitution. In this way, the southern states could avoid the radical step of secession and the inevitable widespread carnage that Unionists predicted would follow. The attendees at the Plano meeting voted on whether or not to include Throckmorton's proposal in their resolutions and flatly rejected the idea. By this time the resolution committee had completed its task. Their memorial was predictable: Texas must secede. Representing a lone voice of reason at the Plano meeting, Throckmorton cast the only vote against joining the southern confederacy.<sup>54</sup>

Though the secessionists carried the day at Plano,

Collin County did not immediately elect delegates for the state secession convention; rather the county became divided between two groups: George W. Barnett became the leader of the secessionists in the county, while Throckmorton headed the anti-secessionists, or Conservative party. Brutal disputes between the two sides were inevitable. As the editor of the *Dallas Herald* stated, "Barnett is a candidate on the secession ticket. Good luck to him and let him put the question fairly to the people—will they go with the North or with the South? The Union question has been abandoned, since there is now no Union to save."<sup>55</sup> In the days following the Plano meeting, Barnett falsely charged that Throckmorton was a traitor to the South and that the senator was a submissionist. Collin County's vote against secession in the 1861 statewide referendum on the issue proved that Throckmorton was more in touch with his constituents than Barnett. Furthermore, the senator was no submissionist. He never questioned the South's grievances against the Federal government, but he simply did not believe that secession was the answer to the problems confronting the southern states.<sup>56</sup>

Throckmorton was also accused of plotting to divide Texas. The *Southern Intelligencer* on January 30, 1861, alleged that the senator was at the forefront of a plan to

make a small state out of the tier of Red River counties, including Denton and Collin. Once the new state was created, the editor claimed that Throckmorton would seek to have it admitted to the Union if Texas voted for secession.<sup>57</sup> While this rumor would have been consistent with Throckmorton's political beliefs, no evidence was forthcoming to indicate that he actually proposed such a plan. Therefore, it is likely that Throckmorton's detractors made up this charge as propaganda to discredit him with his constituents. Despite the secessionists efforts to ruin him, Collin County voters elected their state senator to represent them at the Secession Convention.<sup>58</sup>

Throckmorton was unaware that the voters had elected him to represent them in the forthcoming convention, because he had left the county before the local election had taken place in order to attend the special session of the legislature that Governor Houston had called forth on December 17, 1860. As Throckmorton made his way to the capital, he plotted various ways to head off the secessionists whom he thought were leading the state toward ultimate destruction. In Austin, the North Texas senator attempted to stem the tide of secession by introducing a bill calling for the election of delegates to a general

convention of the people of Texas. The bill was read twice, and then it was buried in the Committee on State Affairs, effectively stopping Throckmorton in his tracks.<sup>59</sup>

Though opposed to secession, Throckmorton was just as much opposed to coercion.<sup>60</sup> He believed that the Federal government had no right to force its will upon the people of any state and that such actions justified the right of secession. Therefore, the senator believed in the right of secession, but not in the wisdom of it at this juncture. This position was evident in his support of the Shepard resolution of January 26, 1861. This resolution declared coercion subverted the Constitution and would be fatal to the existence of the Union. It also stated that Texas would join any state in resistance to such unconstitutional action by the Federal government.<sup>61</sup>

Two days later, delegates to the Secession Convention began to arrive in Austin and members in the Texas House of Representatives voted fifty-six to twenty-four to pass a resolution justifying the popularly called Secession Convention. The resolution was then sent to the state Senate, where Throckmorton, Isaiah Paschal, Emory Rains, Martin Hart, and Eggleston Townes tried to defeat it by forcing a substitute resolution written by Abram Gentry which called for a general convention of southern states.

George Quinan, a secessionist, moved to table the substitution, and Throckmorton countered with a call for an immediate vote on the substitution. However, Quinan's motion was sustained. The substitution was tabled with a vote of twenty to ten. At that point, Senator Townes proposed several amendments to the pending resolution: mainly that the action of the convention should be voted on in a referendum; that the people should send delegates to a general convention for the purpose of amending the state constitution to conform to the relations of the state to the Union; and that in case a new convention was not called forth and the popular convention whose members were elected on January 8 proceeded to convene, there should be an election of new delegates in those districts where the current attendees were elected by less than a majority of the registered voters so that the minority's interests would be represented in the convention as well. Unfortunately for the Unionist faction, the senators also tabled the Townes resolutions by a vote of twenty to ten. The senate then read the original house resolution and passed it by a vote of twenty-five to five. The anti-secessionist senators failed to stall the secession movement.<sup>62</sup>

According to plan, the Secession Convention met in

Austin on January 28 with 177 delegates in attendance. At the close of the first day the organization of the convention was complete, and Oran M. Roberts, a Texas fire-eater, was elected to preside over the meeting. Delegates quickly drafted an ordinance which called on the state to sever its ties to the Union. The Ordinance of Secession was put before the convention on January 30, and debate over the issue revealed that the delegates were divided as to whether the ordinance should take effect after a vote in the convention or whether the issue of secession should be decided in a statewide referendum. During the evening of the following day, the delegates agreed that the issue should be put before the people. They also decided that the convention would vote on the issue at noon on February 1.<sup>63</sup>

The delegates' decision to vote on secession was highly publicized, and a crowd gathered outside the hall of the House of Representative to hear the results. Inside, state officials joined the delegates of the convention in front of a full gallery of onlookers. Governor Houston, the lieutenant governor, and the justices of the state Supreme Court were seated at the front of the hall with the presiding officers of the convention. The delegates were called to order and instructed to cast a simple ballot of

"aye" or "nay." Additionally, Roberts specified that the delegates were not allowed to explaining their vote. Despite the presiding officer's directions, several members felt compelled to speak their mind.<sup>64</sup>

The first to explain his vote was T. J. Chambers who justified his support for secession. Later, Thomas Hughes of Williamson County, W. H. Johnson of Lamar, Joshua Johnson of Titus, and A. P. Shuford of Wood caused a stir among the delegates when they voted against leaving the Union. None of these gentlemen explained their vote. This group of Unionists shared some common characteristics: They represented North and East Texas counties, except for Hughes who was from Williamson County; they, or their fathers, had ties with Upper South states, migrating from Tennessee or Kentucky; and finally, they were all members of the Texas bar. The next eight votes for secession quieted the crowd again, but then Throckmorton's name was called.<sup>65</sup> The senator rose from his chair and stated, "In view of the responsibility, in the presence of God and my country, and unawed by the wild spirit of revolution around me, I vote no."<sup>66</sup> It was reported that an individual perched in the gallery hissed at the senator as he took his seat. This prompted him to jump to his feet again and deliver with dramatic flare, "Mr. President, the rabble may

hiss when patriots tremble."<sup>67</sup> Out of respect for Throckmorton, others in the gallery hushed the heckler. The senator's negative vote was no surprise to the other delegates in the convention because he had already announced that while he believed the South had not been treated fairly, secession was not the way for the South to solve its grievances. Furthermore, Throckmorton had made clear that he would accept the results of the forthcoming referendum. If a majority of the people of Texas supported the ordinance, Throckmorton vowed to take up arms in defense of his state. Before the convention was finished voting, two more votes were cast against secession by L. H. Williams and George W. Wright, both of whom were from Lamar County. The final tally was 166 to eight in favor of secession.<sup>68</sup>

With the convention voting for secession, all that was left to do was to draft a declaration of causes which impelled Texas to secede. On February 2, a special committee penned the following reasons for secession: "the controlling majority of the Federal Government, under various pretenses and disguises, has so administered the same as to exclude the citizens of the Southern States [from the western territories] for the avowed purpose of acquiring sufficient power in the common government to use

it as a means of destroying" the institution of slavery; also "by the disloyalty of the Northern States and their citizens and the imbecility of the Federal Government, infamous combinations of incendiaries and outlaws have been permitted in those States and the common territory of Kansas to trample upon the federal laws [and] to war upon the lives and property of Southern citizens in that territory."<sup>69</sup> In addition, the committee stated that the Federal government had failed to protect the Texas frontier from Indian attacks and border raiders who came into the state from Mexico; a number of northern states had violated the fugitive slave law; and a sectional party of the North had been sowing seeds of discord. The committee's declaration also stated that northern politicians had "placed the slave-holding States in a hopeless minority in the Federal Congress, and rendered representation of no avail in protecting Southern rights against their exactions and encroachments," and had "elected as president and vice-president of the whole confederacy two men whose chief claims to such high positions [were] their approval of these long continued wrongs." Finally, the committee members argued that "the secession of six of the slave-holding States . . . [left] Texas [with] no alternative but to remain in an isolated connection with the North, or

unite her destinies with the South."<sup>70</sup> After approving the committee's resolutions, the members of the secession convention voted to adjourn on February 4, planning to reconvene on March 2 after the referendum.<sup>71</sup>

At this point the Unionists believed that they had one more chance to prevent their state from leaving the Union. They planned to conduct a campaign against the secession convention's proposal which was scheduled for a referendum vote on February 23.<sup>72</sup> Before leaving for their home districts, Throckmorton, three fellow senators, fourteen representatives, and six other members of the convention drew up an address to the people of Texas in which they put forth their arguments against secession.<sup>73</sup>

The Unionists acknowledged that the North seemed hostile toward the South's institution of slavery, especially considering that many northern states passed personal liberty laws to prevent the enforcement of the fugitive slave law. The Unionists also accepted that Lincoln's victory made further provisions for the protection of slavery necessary. However, the Unionists reasoned that the grievances did not merit secession, indicating that state governments in the South had not exhausted all their options to prompt change within the Union before moving to dissolve ties with the North.<sup>74</sup>

Additionally, the Unionists argued that secessionists had deceived the citizens of Texas. They stated that those who favored a break with the Union believed secession was the only way to protect the *rights* and prosperity of the southern people. According to the Unionists, a break from the Union would only serve to end slavery even faster than the abolitionists could hope for. The authors of the Unionists' address also predicted a grim future for "a confederacy [formed from] cotton states alone." They stated that "it is already apparent that in such a confederacy slavery will be recognized as the principal interest to be fostered by the government," and therefore "the legislation of such a Government would almost necessarily proceed upon an invidious distinction between those who owned slaves, and those who did not." Continuing, the authors stated that "this would tend to make the confederacy a confederacy of slaveholders." After alluding to the fact that the newly formed Confederacy would in all likelihood be a military state, the authors posed the question: "How long, in such a confederacy, would liberty and free institutions survive the formation of a powerful military force?"<sup>75</sup> The authors of the anti-secession tract ended with a proposed plan of action:

We would have you remain true to every constitutional obligation although your northern brethren, in some respects, proved recreant to theirs. We would have you put forth your best efforts in aid of such of the slave holding states as may make the attempt to reconstruct the Union. In the meantime, through the agency of your state government or what may perhaps be better through a convention called for that purpose, and clothed with full powers, we would make preparation for the worst that can come. And having done that, if you cannot by the help of others, restore the Union, with every abuse corrected and all your rights fully secured, then change your form of government as you may think best.<sup>76</sup>

On February 9, three days after the publication of the Unionists' tract, Throckmorton and several other Unionists gave public addresses at Buass Hall in Austin. According to a report in the *Austin Southern Intelligencer*, the speeches "were able and eloquent . . . denunciations of the [Secession] Convention for its usurpation of powers—its establishment of a Committee of espionage, styled Safety—its *secret sessions*, its midnight plottings, its attempting to establish in our midst and to carry out the Reign of Terror, inaugurated in parts of Texas by Vigilance Committees."<sup>77</sup> Afterward, Throckmorton went to McKinney where he tirelessly campaigned against secession.<sup>78</sup> His efforts seemed to bear fruit, Collin County rejected secession by a vote of 710 to 215. However, despite the senator's success at home, the Unionists were defeated

statewide. Texans voted to leave the Union by a vote of 44,317 to 13,020.<sup>79</sup> The citizens of the state had sealed their fate.

After the voters elected to secede from the Union, Throckmorton traveled back to Austin to attend the secession convention as it reconvened. Arriving after the conclave had already convened, the senator found that delegates were in the middle of a vote. When the roll was completed, Mr. Locke, a member of the convention from Upshur County, proposed that every member of the convention should cast a vote unless properly excused from doing so. Throckmorton inquired about the issue at hand and was informed that a vote was being taken on the adoption of the provisional constitution of the Confederate States. Throckmorton addressed the president of the convention:

Mr. President, only a moment since I returned from my home where I had been to persuade the people of my district to vote against the ordinance of secession. I have the satisfaction to know that my constituency agree with me on that grave and momentous question. When I entered the chamber the vote was being taken upon a question unknown to me. When my name was called I did not vote. But since the gentleman from Upshur has called the attention of the chair, I have inquired and ascertained that the vote is upon the adoption of the provisional constitution of the confederate states. Not knowing its provisions if required to vote I shall vote against it. But Mr. President, while I am up if the convention will indulge me I beg to say a word. Sir, I had thought that I had

satisfied every member of this body that I was not afraid to vote or express my opinion on any subject . . . my position has been well understood. But sir, I desire to go a little further, and announce a determination known to my friends, but perhaps not generally known to members of this body. I believe we are on the verge of a long and bloody war, the consequences of which none can foresee. While my judgement dictates to me that we are not justified by the surroundings or occasion, a majority of the people of Texas have declared in favor of secession; the die is cast; the step has been taken, and regardless of consequences I expect and intend to share the fortunes of my friends and neighbors. I wish to say especially for the benefit of those who doubt my devotion to my country that I have no doubt that the time will soon be upon us when the clash of arms will be heard and the blood of my countrymen will be shed in a great civil war. When it comes I will be in its midst, and I doubt not will be there long before the gentleman from Upshur.<sup>80</sup>

Following Throckmorton comments, Ochiltree made a motion and it was seconded that excused Throckmorton from the vote.

While the convention was still in session, Throckmorton's loyalty to the Confederacy was put to the test. Houston had attempted to have General David E. Twiggs, who was in command of the Union troops at San Antonio, surrender his arms directly to the state government rather than to the convention's Committee on Public Safety. This fact adds credibility to a story that A. W. Terrell told in later years. According to Terrell,

President Lincoln sent a dispatch to Sam Houston by way of George Giddings informing the Texas governor that the federal government would send 50,000 soldiers to Texas to keep the state in the Union. After Houston received the letter, he called a select group of Union sympathizers to his home. Among those present at this meeting were Throckmorton, Benjamin Epperson, and David Culberson. Houston apparently read Lincoln's letter to the men and asked for their counsel. To a man, Houston's guests cautioned against accepting Lincoln's offer. They suggested that if the governor accepted the offer, a violent civil war would erupt in their state. Houston heeded their advice and cast Lincoln's letter into the fireplace. On April 1, the Secession Convention adjourned, and the state government assumed its position of power that it had held prior to being supplanted by the convention.<sup>81</sup>

Unionism in Texas had been solidly defeated, and now Unionists were left with difficult choices: They could continue to support the Union and run the risk of being persecuted by Confederate authorities; they could remain neutral in the approaching conflict; or they could bow to the will of the Texas voters and join the Confederate cause. Following the logic and reason of Sam Houston, Throckmorton chose the latter. Even though Houston was

removed from governor's office because he refused to take an oath of loyalty to the Confederacy, he respected the will of the majority of Texas voters in the referendum on secession.<sup>82</sup> On October 18, 1861, Houston clearly stated his position on Texas joining the Confederacy in *The McKinney Messenger*: He claimed to support the decision made by the majority of voters to join the Confederacy even if he did not personally feel that it was the best course of action. He stated, "Had I been disposed to involve Texas in [a] civil war I had it in my power, for I was tendered the aid of seventy thousand men and means to sustain myself in Texas by adhering to the Union; but I rejected, and . . . I gave my advice to the Federal Government."<sup>83</sup> Houston suggested that Lincoln should "evacuate Fort Pickens and Sumter [and] recall all the Federal troops from Texas."<sup>84</sup>

Houston also believed that the Lincoln administration was operating outside of the executive branch's Constitutional authority. He stated, "Mr. Lincoln and his cabinet have usurped the powers of Congress and have waged war against the Sovereign States, and have thereby not only absolved the States, but all the people of the several States from their allegiance to his government, the Federal Government having ceased to exist by his act of

usurpation."<sup>85</sup> Defining the coercive actions of the president, Houston stated "[Lincoln] proclaimed martial law in Missouri and assumed the civil administration of the affairs of that State, thereby ignoring the constitution and setting at nought the sovereignty of the people, and he has in fact, with more than Vandalic malignity and Gothic hate sought to incite a servile insurrection in that State."<sup>86</sup>

Several years after the Civil War ended, Throckmorton echoed the same conclusions reached by Houston earlier. In front of a crowd at the International Fair Association at San Antonio, Throckmorton reflected on the causes of the Civil War. He stated, "My friends, on a recent occasion I heard it announced by one of the most eloquent men of Texas that slavery was the cause of the Civil War. Unquestionably it was one of the leading causes, and undoubtedly it was the great lever used, both North and South, that precipitated it, but there were other causes, some apparent, and others latent, that gradually led up to, and together with the institution of slavery, brought about the unhappy contest."<sup>87</sup>

Throckmorton traced the causes of the war to the formation of the Federal government at the Constitutional Convention (1787) in Philadelphia. He stated that "there

were two sets of statesmen who differed radically as to how the Constitution should be construed, and the policy upon which the government should be conducted." Throckmorton revealed that "one party, in which there were many eminent men who had rendered the country great service, believed the Constitution should be construed liberally, that the powers of government should operate directly upon the citizens and [their] affairs, and that it should become practically a parental government." In contrast, Throckmorton stated that "the other party, in which there were equally as eminent and patriotic men, believed that the constitution should be construed strictly, and that no power should be exercised unless it was clearly defined, or made plain by the implication from the letter and spirit of that sacred instrument."<sup>88</sup>

Throckmorton commented that the two factions engaged in bitter disputes concerning the "questions of free speech and liberty of the press; how taxes, internal and external, might be levied; whether industries of certain kinds should be protected and encouraged; and for what purposes appropriations from the common treasury should be made." These questions, according to the North Texan, were the foundation of the "causes that led up to sectional strife that brought about the Civil War." Throckmorton reminded

his audience that "nullification first reared its front in New England, and afterwards took root in South Carolina." During this time, the North Texas politician contended that "there was a strong conservative element in the country that did not go to the extremes of either of the great parties that strove for the mastery; the representatives of that element contended for moderation and forbearance, and on different occasions exercised a salutary influence for peace and fraternity."<sup>89</sup>

Throckmorton also believed that "in a number of the Northern States, and, as our people believed, in violation of the Constitution and laws passed in pursuance of it, the fugitive slave laws were enacted." Echoing Sam Houston's argument against coercion, Throckmorton claimed that the fugitive slave laws as well as the question of the status of slavery in the territories "culminated in the election of Mr. Lincoln to the Presidency, but not by a majority of the votes of the American people." Like many people in the South, he concluded that Lincoln's "election was regarded by many as a sectional triumph and as a menace to the institution of slavery."<sup>90</sup>

Throckmorton then commented on the secessionists and their motives. He felt that the secessionists "urged the untoward condition of affairs to influence the public mind,

and [brought] about a dissolution of the Union, not the overthrow and destruction of the government, but the erection of a new government out of States that had belonged to the old." Offering further justification of the Secessionist cause, the North Texan continued by declaring that "We, of the South, were willing that our Northern brothers should retain the old government, enjoy their convictions of right and duty, and manage their own affairs. We claimed the same privilege, and asked, to be let alone with our institutions, that had grown up with us, and were as old as the colonies, from which all the States had sprung."<sup>91</sup>

Throckmorton also revealed that "there was a strong element of conservatism in both sections [North and South], led by great and good men, who tried to allay the storm." Throckmorton then spoke of the virtues of the political conservatives: "This class of men in the South did not believe the election of Mr. Lincoln sufficient cause for a dissolution of the States, or that the institution of slavery in the States was seriously threatened." The North Texan observed that the conservative perspective was shared by "many in the North, and while those who entertained such views appreciated the serious gravity of the situation" and like conservatives in the South, "they believed an

honorable adjustment of differences could be made, and that no peaceful remedy should be left untried to attain an end so priceless."<sup>92</sup>

Commenting on southern conservatives, Throckmorton claimed that they acknowledged "the constitution and laws had been infringed, yet we did not believe secession the remedy, or that we could maintain our cause by a resort to arms." Like Houston before him, he stated that the conservatives "further believed the constitution conferred no power upon the federal government to coerce a State by an invasion with its armies, nor did we believe the constitution would have been ratified by the requisite number of States had such power been expressed in it." Throckmorton concluded that "when the efforts of the peace party failed and the storm of passion and sectional hatred . . . swept over the country, and civil war . . . became a certainty, there was but one course, in the judgment of a very great majority of the South to be pursued—and that was to fight it out to the bitter end."<sup>93</sup>

Earlier, Throckmorton had proved a loyal advocate of the Union aligned against the forces which were pushing the state toward secession. Between 1857 and 1861, the North Texas senator's Unionism was shaped by traditional Whig political ideology which he had acquired early in his life,

a desire to promote economic prosperity in the North Texas region through railroad development, and a devotion to protecting small farmers from the political, social, and economic domination of the planter class, and a desire to preserve white supremacy on the frontier of North Texas by removing Native Americans and preventing the migration of African American slaves into the northern region of the state. Furthermore, the senator was concerned with what he perceived as the coercive nature of the Federal government. In this regard, Throckmorton was closely aligned to his constituency. A large segment of the population in the North Texas region had migrated from the Upper South states of Tennessee, Kentucky, and Virginia. Just like the Upper South states, the North Texas region did not have a strong commitment to slavery, and therefore its people were more reluctant to embrace the rhetoric of southern fire-eaters. Despite the results of the referendum vote, Texas Unionists still hoped to work out a compromise between the northern and southern states. However, all of their plans for a quick reconstruction of the Union came to an end when news reached Texas of the hostilities at Fort Sumter and President Lincoln's proclamation calling for 75,000 state militia volunteers to crush the southern rebellion. Many Unionists perceived Lincoln's move as an act of coercion

and as a result abandoned their efforts to preserve the Union. It was at this point that Throckmorton made the fateful decision to join the Confederacy.<sup>94</sup>

## Endnotes

1. The most critical of these disturbances included the new fugitive slave laws incorporated in the Compromise of 1850, which forced people in northern states to aid in the capture and return of runaway slaves; Harriet Beecher Stowe's *Uncle Tom's Cabin* (1852), which fueled the abolitionist movement; the Kansas-Nebraska Act (1854), which ultimately negated the Compromise of 1820 and potentially allowed slavery to exist above the latitude of 36° 30'; "bleeding Kansas" (1855-1861), which pitted slaveowners and Free-Soil men in Kansas against one another in a bloody war for political dominance; Ostend Manifesto (1854), which suggested that the radical slaveowners' desired to expand slavery into Latin America further irritating abolitionists; Preston Brooks' caning of Charles Sumner on the floor of the United States Senate (1856), which further incited the fears of both the North and the South; the *Dred Scott* case (1857) in the Supreme Court, which appeared to be a significant legal victory for the South; John Brown's raid at Harper's Ferry, Virginia (1859), which caused wide-spread fear in the South that abolitionist were intent on initiating mass slave uprisings; and Abraham Lincoln's election to the presidency (1860), which suggested that the South was losing political influence in the federal government. Each episode drove the northern and southern states further apart until finally both sides realized that they were on the path of an irrepressible conflict.

2. Walter Buenger, "Texas and the Riddle of Secession," *Southwestern Historical Quarterly* 87 (October 1983): 151-182. This is one of the best article-length studies of the secession movement in Texas. Also see Jimmie Hicks, "Texas and Separate Independence, 1860-61," *East Texas Historical Journal* 4 (Fall 1966): 85-106; Claude Elliott, "Union Sentiment in Texas, 1861-1865," *Southwestern Historical Quarterly* 50 (April 1947): 448-477.

3. Buenger, *Secession and the Union in Texas*, 22-26.

4. *Ibid.*, 23-24 and 106; Buenger, "Stillling the Voice of Reason," 95-96. For more on Whig economic and political philosophy see Holt, *The Rise and Fall of the American Whig Party*, 67, 69-70, and 127-36; Brown, *Politic and Statesmanship*, 61, 64, 169, 187-88; Howe, *The Political Culture of the Whigs*, 8, 13, 16, 31-32.

5. Buenger, *Secession and the Union in Texas*, 22-26; Holt, *The Rise and Fall of the American Whig Party*, 957 and 982-83.

6. David Potter, *The Impending Crisis*, 167-77, and 238-41; Anna Irene Sandbo, "Beginnings of the Secession Movement in Texas," *Southwestern Historical Quarterly* 18 (July 1914): 48-49; Campbell, *Gone To Texas*, 236.

7. James L. Haley, *Sam Houston* (Norman: University of Oklahoma, 2002), 322.

8. Houston quoted in Haley, *Sam Houston*, 322; Sandbo, "Beginnings of the Secession Movement in Texas," 50-56.

9. Haley, *Sam Houston*, 341; Holt, *The Rise and Fall of the American Whig Party*, 957; Holbert, "The Public Career of James Webb Throckmorton," 9-10.
10. James Smallwood, *The History of Smith County, Texas: Born in Dixie*. 2 vols. (Austin: Eakin Press, 1999), 1:138-139.
11. *Proceedings of the State Convention of the Democratic Party of the State of Texas, which Assembled at Waco, Monday 4, 1857*. AD/TSL. The convention reported that H. R. Runnels was the convention's unanimous choice as the Democratic nominee for governor. This would have included Throckmorton's vote, but the actual vote was not included in the printed proceedings.
12. Ibid.
13. Ibid.
14. Ibid. Throckmorton's support for Stewart's resolutions are not specifically stated in the printed proceedings of the convention, but it seems certain that Throckmorton would have supported reasonable amendments designed to further internal improvements.
15. "Alexander W. Terrell's Reminiscence, 1912," 11. Alexander W. Terrell Papers. MC/AD/TSL.
16. Dale Baum, *The Shattering of Texas Unionism*, 10; For election returns broken down by counties see Kingston, et al., *The Texas Almanac's Political History of Texas*, 54-57; Campbell, *Gone To Texas*, 237; Sandbo, "Beginnings of Secession Movement in Texas," 56-57.
17. James Swindells to J. W. Throckmorton, November 25, 1857. James Throckmorton Papers, 1857-1940. MC/AD/TSL; *Journal of the Senate of Texas*, Seventh Biennial Session, Austin, 1857, 368-72 and 428; *Journal of the Senate of Texas*, Extra Session, Eighth Legislature, Austin, 1859, 44-45.
18. Throckmorton to John H. Reagan, August 17, 1859. Reagan (John H.) Collection. AD/TSL; Throckmorton to John H. Reagan, September 9, 1859. Reagan (John H.) Collection. AD/TSL; Throckmorton to B. H. Epperson, August 18, 1859. Epperson Papers. CAH. Evidence of Throckmorton's support of Reagan are present in these letters.
19. John H. Reagan, *Memoirs with Special Reference to Secession and the Civil War* (New York: The Neale Publishing Company, 1906), 73; Sandbo, "Beginnings of Secession Movement in Texas," 59-63.
20. Governor's Message to the Seventh Texas Legislature, January 20, 1858, *Journal of the Senate of Texas*, Seventh Biennial Session, Austin, 1857, 373-78; Elliott, *Leathercoat*, 41.
21. Governor's Message to the Seventh Texas Legislature, January 22, 1858, *Journal of the Senate of Texas*, Seventh Biennial Session, Austin, 1857, 392-93.

22. Governor's Message to the Seventh Texas Legislature, February 4, 1858, *Journal of the Senate of Texas*, Seventh Biennial Session, Austin, 1857, 529.

23. Governor's Message to the Seventh Texas Legislature, January 26, 1858, *Journal of the Senate of Texas*, Seventh Biennial Session, Austin, 1857, 433.

24. *Ibid.*, 434.

25. *Austin Texas State Gazette*, April 30, 1859.

26. *Austin Southern Intelligencer*, June 15, 1859; *Austin Texas State Gazette*, May 7, 1859 and May, 14, 1859; Elliott, *Leathercoat*, 42.

27. *Austin Southern Intelligencer*, May 11, 1859 and May, 18, 1859. See these issues for commentary on the candidates nominated by the Houston Convention and for the views of those who opposed Runnels and favored Houston's candidacy.

28. Sandbo, "Beginnings of Secession Movement in Texas," 63-65.

29. "Gen. Houston All Right On The Railroad Question." Broadside. AD/TSL.

30. *Austin Southern Intelligencer*, May 25, 1859.

31. *Austin Texas State Gazette*, May 28, 1859.

32. *Austin Southern Intelligencer*, May 11, 1859.

33. Joe T. Timmons, "Texas on the Road to Secession," 366; Elliott, *Leathercoat*, 43.

34. *Journal of the Senate of Texas*, Eighth Legislature, Austin, 1859, 44-47; Dale Baum, *The Shattering of Texas Unionism*, 10; For a break down of the vote by counties see Kingston, et al., *The Texas Almanac's Political History of Texas*, 54-57. Baum makes an important observation about the 1859 Gubernatorial Election stating that Houston's victory in part was attributable to the his success in winning new voters in the state and Runnels' embrace of ultra-southern policies.

35. Elliott, *Leathercoat*, 42-43.

36. Throckmorton to John H. Reagan, August 17, 1859. Reagan (John H.) Collection. AD/TSL; Elliott, *Leathercoat*, 43.

37. Throckmorton to John H. Reagan, August 17, 1859. Reagan (John H.) Collection. AD/TSL; Elliott, *Leathercoat*, 43.

38. Throckmorton to John H. Reagan, August 17, 1859. Reagan (John H.) Collection. AD/TSL; Elliott, *Leathercoat*, 43.

39. Throckmorton to B. H. Epperson, August 18, 1859. Epperson Papers. CAH.
40. Ibid.
41. Throckmorton to John H. Reagan, September 9, 1859. Reagan (John H.) Collection. AD/TSL.
42. Ibid.
43. Ibid.; Elliott, *Leathercoat*, 45
44. Throckmorton to Epperson, September 13, 1859. Epperson Papers. AD/TSL; Elliott, *Leathercoat*, 44;
45. Buenger, *Secession and the Union in Texas*, 45-58.
46. Ibid., 45-46; Sandbo, "Beginnings of Secession Movement in Texas," 68.
47. Smallwood, *Born in Dixie*, 1: 151-53.
48. Ibid.; Kenneth W. Howell, *Henderson County, Texas: An Antebellum History, 1846-1861* (Austin: Eakin Press, 1999), 60.
49. Smallwood, *Born in Dixie*, 1:153; For a detailed discussion of the Texas hysteria caused by the Texas fires see Don Reynolds, *Editors Make War* (Nashville: Vanderbilt University Press, 1966), 97-117.
50. Anna Irene Sandbo, "The First Session of the Secession Convention of Texas," *Southwestern Historical Quarterly* 19 (October 1914): 163-65.
51. Kingston, et al., *The Texas Almanac's Political History of Texas*, 75; Potter, *The Impending Crisis*, 443-44; Sandbo, "First Session of the Secession Convention of Texas," 167-68. Lincoln received 1,864,735 votes; Douglas, 979,425 votes; Breckinridge, 669,472 votes; and Bell, 576,414 votes. Lincoln carried eighteen free states with 180 electoral vote; Breckenridge carried eleven slave states with 72 electoral vote; Bell carried the states of Kentucky, Tennessee, and Virginia, with 39 electoral vote; and Douglas carried Missouri with 12 electoral votes. Beckenridge, usually considered the secession candidate, received 47,887 votes in Texas to 15,472 for Bell, the Constitutional Union candidate. Neither Lincoln nor Douglas received any votes in Texas.
52. William Winkler, *Journal of the Secession Convention* (Austin: Austin Printing Company, 1912), 9-13.
53. Richard B. McCaslin, *Tainted Breeze*, 32; Timmons, "Texas on the Road to Secession," 577; Elliott, *Leathercoat*, 45-47; Sandbo, "First Secession of the Secession Convention of Texas," 178-180.
54. *Dallas Herald*, January 2, 1861, January 16, 1861, and January 23, 1861; Elliott, *Leathercoat*, 47-48.

55. *Dallas Herald*, January 16, 1861.
56. *Dallas Herald*, February 20, 1861; Throckmorton to Louis T. Whigfall, December 30, 1866. Throckmorton Papers. CAH; Elliott, *Leathercoat*, 48-49; Ruby Crawford Holbert, "The Public Career of James Webb Throckmorton, 35-36; James T. DeShields, *They Sat in High Places: The Presidents and Governors of Texas* (San Antonio: The Naylor Company, 1940), 271; Kenneth E. Hendrickson, Jr., *The Chief Executives of Texas: From Stephen F. Austin to John B. Connally, Jr.* (College Station: Texas A&M University Press, 1995), 88.
57. *Austin Southern Intelligencer*, January 23, 1861; Elliott, *Leathercoat*, 49; W. C. Nunn, ed., *Ten Texans in Gray* (Hillsboro, Texas: Hill Junior College Press, 1968), 171.
58. Holbert, "The Public Career of James Webb Throckmorton," 31-32.
59. *Journal of the Senate of Texas*, Eighth Legislature, Extra Session, Austin, 1861, 37; Elliott, *Leathercoat*, 50.
60. Nora Estelle Owens, "Presidential Reconstruction in Texas: A Case Study" (Ph.D. diss., Auburn University, 1983), 156-57.
61. *Journal of the Senate of Texas*, Eighth Legislature, Extra Session, Austin, 1861, 45-46; Elliott, *Leathercoat*, 51.
62. *Journal of the Senate of Texas*, Eighth Legislature, Extra Session, Austin, 1861, 49-50; Patsy McDonald Spaw, *The Texas Senate*, 1: 319; Elliott, *Leathercoat*, 51-52.
63. Dudley G. Wooten, ed., *A Comprehensive History of Texas 1885 to 1897*, 99-103; Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 46; Elliott, *Leathercoat*, 52-53; Ralph A. Wooster, "An Analysis of the Membership of the Texas Secession Convention," *Southwestern Historical Quarterly* 62 (January 1959): 322-335.
64. Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 46. The resolution preventing debate was made by Allison Nelson.
65. Elliott, *Leathercoat*, 53.
66. *The True Issue* (La Grange, Texas), February 7, 1861.
67. Ibid; Holbert, "The Public Career of James Webb Throckmorton," 36-37; Ralph Wooster, *Texas and Texans in the Civil War* (Austin: Eakin Press, 1995), 13; Barron Schlameus, "Secessionist Thought in Texas" (M.A. thesis, Southwest Texas State University, 1971), 64; Sandbo, "First Secession of the Secession Convention of Texas," 191. There is some discrepancy about the actual wording of Throckmorton's response to the hiss in the gallery. Wooster states that Throckmorton said "Mr. President, when the rabble hiss, well may patriots tremble." However, according to the report found in *The True Issue* (La Grange), February 7, 1861, Throckmorton stated "Mr. President, The rabble may hiss when patriots tremble."

68. Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 48-49; Ralph A. Wooster, *The Secession Conventions of the South* (Princeton: Princeton University Press, 1962), 130; Elliott, *Leathercoat*, 54-55; Walter Tribble Chaplin, "Presidential Reconstruction in Texas, 1865-1867" (M.A. Thesis, North Texas State University, 1979), 12-13; Holbert, "The Public Career of James Webb Throckmorton," 36; Wooster, *Texas and Texans in the Civil War*, 13-14. For more information on the individuals who voted against secession in the convention see Evelyn Calhoun Miller, "Seven Shouted 'No' When Secession Vote Taken Here," *Austin American-Statesman*, July 19, 1936. James Throckmorton Papers, 1857-1940. MC/AD/TSL.

69. Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 48-49; Wooster, *The Secession Conventions of the South*, 63-65.

70. Ibid.

71. Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 48-49; Wooster, *The Secession Conventions of the South*, 58-59 and 85; *Clarksville Northern Standard*, April 20, 1861; Elliott, *Leathercoat*, 55-56.

72. Proclamation by the Governor of the State of Texas, February 9, 1861. Broadside. AD/TSL; *Northern Standard* (Clarksville), February 9, 1861; Billy D. Ledbetter, "Slavery, Fear, and Disunion in the Lone Star State: Texans' Attitudes Toward Secession and the Union, 1846-1861" (Ph.D. diss., North Texas State University, 1972), 272-73.

73. *Dallas Herald*, February 20, 1861; *Austin Southern Intelligencer*, February 13, 1861.

74. Ibid.

75. Ibid.

76. Ibid.; Holbert, "The Public Career of James Webb Throckmorton," 27-28 and 37,

77. *Austin Southern Intelligencer*, February 13, 1861; McCaslin, *Tainted Breeze*, 33.

78. Ibid., 33-34.

79. Winkler, ed., *Journal of the Secession Convention of Texas 1861*, 48-49; Wooster, *The Secession Conventions of the South*, 88-90 and 133; Elliott, *Leathercoat*, 58; J. Lee and Lillian J. Strambaugh, *A History of Collin County*, 64; Wooster, *Texas and Texans in the Civil War*, 21; Buenger, "Stilling the Voice of Reason," 93-94 and 96; Timmons, "Texas on the Road to Secession," 722-724; Ledbetter, "Slavery, Fear, and Disunion," 253-54; Joe T. Timmons, "The Referendum in Texas on the Ordinance of Secession, February 23, 1861: The Vote," *East Texas Historical Journal* 11 (Fall 1973): 12-28. Wooster in *The Secession Conventions of the South* reveals the figures in the Winkler's volume were incorrect, but that the corrected figures appeared later in the *Texas State Gazette*, March 23, 1861. Both Wooster in *Texas and*

*Texans in the Civil War* and Buenger reveal that one of the strongest areas of anti-secession support came from the Red River counties. These scholars suggest that several factors contributed to the opposition vote in this area: most important of these factors was that the inhabitants in this area were non-slaveholders and were small farmers from the Upper South or Midwest states where support for slavery and other institutions of the South was not as strident as that found in the Lower South states. Also the authors point out that the inhabitants would be exposed to Indian raids if the Federal troops were removed from the string of forts north of the Red River. Timmons reveals why Texas voters overwhelmingly supported secession: He states that "the secessionists had a plan; they were ably led by a group in high position, though the movers of secession were generally outside the government; they controlled the important instrument of propaganda—the leading newspapers of the State and the State Democratic party machinery. They widely publicized their position in the press, in their private correspondence, in speeches, and in secessionist literature which was broadcast over the state—playing on the fears, emotions, and prejudices of a frightened people. They manipulated the election, and they coerced and silenced their opponents." For a discussion of potential voter fraud in the referendum election see Dale Baum, "Pinpointing Apparent Fraud in the 1861 Texas Secession Referendum," *Journal of Interdisciplinary History* 22 (Autumn 1991): 201-21.

80. *Dallas Herald*, March 20, 1861; *Houston Daily Post*, August 3, 1889; Elliott, *Leathercoat*, 58-59.

81. Haley, *Sam Houston*, 392-93; Oran Lonnie Sinclair, "Crossroads of Conviction: A Study of the Texas Political Mind, 1856-1861" (Ph.D. diss., Rice University, 1975), 186; Elliott, *Leathercoat*, 59-60; Holbert, "The Public Career of James Webb Throckmorton," 41-42.

82. Proclamation of Governor Sam Houston to The People of Texas in May, 1861, Upon the Question of Texas Secession. Broadside. AD/TSL; Holbert, "The Public Career of James Webb Throckmorton," 41; Timmons, "Texas on the Road to Session," 730-731.

83. *McKinney Messenger*, October 18, 1861; Wooster, *Texas and Texans in the Civil War*, 23.

84. *Ibid.*

85. *Ibid.*

86. *Ibid.*

87. Address. Delivered Before the International Fair Association at San Antonio, Texas, James Throckmorton Papers, 1857-1940. MC/AD/TSL.

88. *Ibid.*

89. *Ibid.*

90. *Ibid.*

91. Ibid.

92. Ibid.

93. Ibid.

94. Baum, *Shattering of Texas Unionism*, 84; James A. Baggett, "The Rise and Fall of the Texas Radicals" (Ph.D., diss., North Texas State University, 1972), 24-25; Roger Allen Griffin, "Connecticut Yankee in Texas: A Biography of Elisha Marshall Pease" (Ph.D. diss., University of Texas at Austin, 1973), 167; Massey, "A History of Collin County," 73; Daniel W. Croft, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989), 104-109. Croft's work is the best single volume study of Unionists in the Upper South written to date.

CHAPTER V  
THE CIVIL WAR: PRESERVING WHITENESS  
ON THE SOUTHERN FRONTIER, 1861-1865

Senator Throckmorton along with other North Texas Unionists worked diligently to keep Texas in the Union and thereby prevent the planter class from invading the southern frontier, but their efforts ultimately failed. As a result, slaveholding planters were now in control of both the Confederacy and Texas. The people living on the frontier had to come to terms with the fact that their worst fears had become a reality. They were living in a slave society where planters dominated the social, economic, and political institutions, a condition that the settlers found difficult to reconcile. Thus, Throckmorton and his constituents were confronted with several difficult choices: They could either flee the state northward and live under the protection of the Federal government; they could remain in Texas and continue to oppose the Confederacy; or they could accept and defend their state's decision to leave the Union. Throckmorton chose to remain in his home state and to pledge loyalty to the Confederate government. There can be little doubt that the senator's decision to take an oath of allegiance to the Confederacy

was based on political expediency and a desire to defend the frontier culture and society in the northwestern part of the state.<sup>1</sup> Writing to his friend Benjamin H. Epperson on January 19, 1862, Throckmorton explained his decision. The North Texan stated that "reason had become dethroned in the North and was not very stable in the South—success with the Bl'k Republicans would make us hewers of wood and drawers of water—and whilst I had as ardent an attachment for the old Gov't as any man living . . . I would not consent to reunite with the north." Throckmorton continued, saying that "the struggle is over with me—we had better be separate—our interests, pursuits & habits are too diversified ever to be made to harmonize."<sup>2</sup>

After the secession convention and the state legislature adjourned, Throckmorton returned to his home district and resumed his law practice. He must have been rather distraught in his decision to support a government which he believed had been founded upon on the false pretenses of the fire-eaters, especially considering that the frontier society which the pioneers of North Texas established was designed to be an escape from the control of the planter class in the Upper and Lower South.<sup>3</sup> Nevertheless, the senator believed that safety of the northern frontier hinged upon on remaining loyal to the

Confederacy.

As a settler in a region that was accustomed to Indian raids, Throckmorton was undoubtedly concerned about protecting the frontier. He knew that the Federal troops which were stationed at fortifications in western Texas would soon withdraw from their post leaving the region in danger of future Indian depredations. Therefore, the senator supported the Confederate government's attempt to occupy the abandoned frontier posts. Throckmorton, however, did not become a diehard proponent of the Confederacy until April 1861 when national events provided him with what he considered more dire reasons for siding with the newly formed southern government.

While President Lincoln declared secession illegal, he took a temporizing position regarding the South's break from the Union. The president said that he would not attempt to reclaim Federal property which Confederate authorities seized in the states of the Lower South. However, two military institutions in the South remained under Federal control, Fort Sumter in Charleston harbor, South Carolina, and Fort Pickens at Pensacola, Florida. After weeks of indecision and pressure from his own party to ignore the Confederacy's demands that the forts be surrendered, Lincoln sent a naval expedition to resupply

Fort Sumter with provisions: The primary cargo being food. Unwilling to allow the fortification to remain in Union hands, the Confederates bombarded Fort Sumter on April 12 before the Union navy vessels arrived. Following more than thirty hours of continual bombardment, the commander of the fort, Major Robert Anderson, surrendered to his attackers.<sup>4</sup>

The attack on Fort Sumter immediately caused an outcry of patriotic indignation in the northern states, and President Lincoln was forced to take more forceful measures in dealing with the southern rebels. Lincoln issued a call for 75,000 volunteers to put down the rebellion.

Southerners considered the president's call for troops an open act of aggression. Throckmorton later commented that "I had hoped that the evil hour was not upon us—and that our whole country as it was could be preserved, but when the alarm was sounded at Fort Sumter I gave up that hope."<sup>5</sup> While ignoring their own treasonous behavior, this group of Southerners claimed that Lincoln had abandoned the principles of democracy by refusing to allow Dixie to leave the Union when a majority of the citizens in the southern states clearly wished to do so. At this point, many of these self-proclaimed, *constitutionally-minded* Confederates, including Throckmorton, professed that the Union was attempting to coerce the southern states back

into the Union.<sup>6</sup> Despite the evident flaws in the Confederates' argument against coercion, the South's perception of the Federal government's actions caused Virginia, North Carolina, Arkansas, and Tennessee to follow the Lower South in secession.<sup>7</sup>

After the fall of Fort Sumter and Lincoln's call for volunteers, Throckmorton attended a convention in Collin County which local secessionists organized. The convention opened at the courthouse in McKinney on April 27, 1861. Fearing that Unionists in the county might engage in espionage, Confederate supporters refused to let them attend the meeting. In protest, David C. Dickson, the former American party candidate in the 1855 Texas gubernatorial election, led a group of Union men to the Methodist church and held an independent meeting. Aware that such a move would invoke the suspicion of the Confederates, Throckmorton refused to join them and decided that it would be better to remain at the courthouse, even though the gathering would not officially recognize him.<sup>8</sup>

The intent of the Confederate meeting was to elect delegates for a forthcoming meeting in Dallas which was scheduled to discuss matters concerning the Confederacy. However, the event turned into a political rally for politicians seeking to win office in the upcoming state

elections. Nevertheless, the attendees endorsed the Confederate constitution and elected twenty delegates for the Dallas convention. Among the delegates was George W. Barnett, Throckmorton's earlier adversary during the secession crisis.<sup>9</sup>

Even though the members of the convention doubted Throckmorton's allegiance to the Confederacy, they gave him the opportunity to address the delegates of the meeting once they had officially adjourned. The North Texas senator reaffirmed his new found devotion to the Confederacy, and he suggested that southerners should form a united front against the coercive nature of the Federal government. He called on Texans to wash away the political dissension present in the state since the beginning of the move toward secession. To accomplish greater unity, the senator stated that future political meetings should be suspended until the end of the war. Throckmorton concluded his address with the proclamation that he would be the first to sign up for the Confederate cause. When the delegates created a list of volunteers for service in the military, Throckmorton's name was one of the first recorded.<sup>10</sup>

While embracing southern rhetoric regarding the coercive nature of the Federal government, Throckmorton had

other motivations for becoming a crusader for the Confederacy. In a letter written after the war, the North Texas senator stated that a primary factor in his decision to join the southern cause was a desire to prevent civil war in his region of the state. Throckmorton wrote to Hamilton Bee:

The war came, I saw that unless I did something to prevent it, that neighbors and friends of my own immediate section of the state would be embroiled with each other in a deadly conflict. I at once consulted with [Benjamin] Epperson and [D.C.] Dickson and told them this must not be. The only way to prevent it was for ourselves to set the example. Our friends were calling on us to head the opposition. They agreed with me as to the course and I immediately called for men. . . . Our course saved the enactment of the scenes of Missouri.<sup>11</sup>

Additionally, Throckmorton realized that the Federal government would eventually attack the southern economy by waging a war against the institution of slavery, an action which would directly threaten Anglo society on the frontier.<sup>12</sup> Whites on the frontier feared that emancipated slaves would move to areas in the western regions of the Lone Star State where slavery had not been a dominant part of the economy, effectively bringing an end to white dominance on the frontier. In this regard, racists in North Texas were not much different than their northern

counterparts who were concerned that emancipated slaves would migrate to the northern states, thereby competing with northern laborers for jobs. Thus, Throckmorton and other like-minded individuals in North Texas concluded that the frontier society which white Anglos had created from the Texas wilderness might potentially be threatened from two fronts if the Confederacy lost the war: Native Americans would try to push the frontier line eastward and reclaim land which they had lost to white settlers over the last three decades, and slaves, if freed, would push into the frontier from East Texas counties where familiar surroundings reminded them of the horrors of the peculiar institution.

Throckmorton was also concerned about the physical safety of individuals living on the southern frontier. The settlers were exposed to two different threats: First, Confederates believed that Federal troops stationed in the Indian Territory would invade the state from the north. This belief was based on the fact that the majority of the citizens in several of the Red River counties had voted against secession and might aid the Union troops entering the state from the north. Second, Indians posed a real threat to the safety of North Texas settlements. With Federal troops withdrawing from forts along the frontier

line in Texas, nothing stood between the Native Americans in the Indian Territory and the Texans. Motivated by a desire to protect the whiteness of the frontier and the settlers from physical harm, Throckmorton decided to become actively involved in the military defense of the Red River counties.<sup>13</sup>

The first task of the newly mustered Confederate forces in states contiguous with the Indian Territory was to move against the United States troops stationed at Fort Washita, Fort Arbuckle, and Fort Cobb.<sup>14</sup> Because Federal troops had abandoned these forts before the arrival of Confederates, the rebel's objectives were effectively completed by the end of May 1861.<sup>15</sup> In essence, the engagements between Federal and Confederate forces were minimal, and Throckmorton's initial period of service in the volunteer unit lasted less than a month. Throughout the month of May, Throckmorton's company served in a frontier regiment under the command of Colonel William C. Young who was appointed by Governor Edward Clark to defend the northwest frontier. The men in the regiment elected Throckmorton as their lieutenant colonel which was more a testament to his standing with the citizens of his region than his military abilities.<sup>16</sup>

After Confederate forces occupied the forts,

Throckmorton returned home and resumed his legal practice. Apparently, the North Texan was temporarily satisfied that the immediate threat to the southern frontier was thwarted.<sup>17</sup> While attending District court at Sherman, Grayson County, Throckmorton learned of new threats to North Texas. Earlier in May, Colonel Young, commander of the Confederate frontier forces, warned that "if war continues we shall have forays from Kansas, and this northern frontier must be well prepared." Young continued, "we [North Texans] cannot afford to send troops to the South. Any where on the Gulf coast, or in the railroad region, troops can be rapidly conveyed to any assailed point. But up here [North Texas] a foray could be made, immense damage done, and the parties away, before we could have a defensive force to repel them." The colonel's solution was simple: He stated that "we must maintain Washita, as a permanent post, and should have spies out northward, on all traveled routes, constantly, regularly relieved and reporting."<sup>18</sup> Additionally, Young feared that the Kickapoos and Caddoes would soon pose a threat to Fort Cobb and probably North Texas, too. According to one account, these Native American tribes were "about [Fort] Cobb in small squads, painted and taking whatever they wanted. The force in garrison was too weak to control

them."<sup>19</sup> Colonel Young also made it known to the citizens of North Texas that his most pressing need was for cavalry troops, even though he did not have authority to receive any at that time.<sup>20</sup>

There is no record of Throckmorton meeting Colonel Young in Sherman in late May or early June, but it seems certain that the colonel's assessment of perceived threats to North Texas prompted the lawyer to action: Throckmorton completed his legal obligations at Sherman and returned to his home in McKinney where he soon initiated efforts to raise another voluntary cavalry company for active duty. His task was quickly accomplished: The citizens apparently were ready to confront any potential threat to their homeland. In a public meeting held on June 8, 1861, in Lebanon, Collin County, local men mustered into military service. They clearly stated their reasons for joining the newly formed company, stating that "whereas our country is threatened with war, our homes and firesides with devastation; it therefore becomes necessary for each and every man to define his position, for he that is not for us is against us." Additionally, the volunteers stressed that they were forming a "military company for the protection of [their] homes and [their] rights." Finally, the men suggested that they wanted to assure the rest of the state

that they no longer were loyal Unionists, claiming that "we now of our own accord lay aside all party issues and unite upon one common platform that is in the defense of our rights to repel [an] invasion."<sup>21</sup>

On June 19, the *Dallas Herald* reported that "we are indebted to Hon. J. W. Throckmorton for [sending us a] list of officers of two companies of troops [one infantry and one cavalry] just organized in Collin County." Continuing the editor stated that the "100 men rank and file [in the cavalry company was] ready for any service that they can get. Capt. Throckmorton visited [Dallas] in order to get his men into the regiment of Col. Greer. That regiment, however, was already full, and could not receive them." The editor then revealed in a post script to the article that "Capt. Throckmorton's company [was] received into service, under Col. Young's call, and will go into immediate service in the Indian Nation."<sup>22</sup>

Colonel Young and Captain Throckmorton proceeded to Ben McCulloch's headquarters at Fort Smith where they requested that the brigadier general receive their regiment. However, McCulloch denied their request, stating that he did not have the authority to receive additional troops. However, the general requested that Colonel Young carry a message back to the people of North Texas informing

them that troops would soon be needed to defend Arkansas and Texas from a Union force then present in Missouri. Young agreed to the general's request. The *Clarksville Northern Standard* reported that Throckmorton's "mission to Fort Smith, undertaken for the purpose of having his company received into Gen. McCulloch's command, was not successful. . . . The company will be stationed temporarily at Fort Cobb, at which place Capt. Throckmorton will join them in a few days. We understand from him that Col. Young will soon start to Austin and will go thence to Richmond, on important business connected with his regiment."<sup>23</sup>

After his interview with General McCulloch, Colonel Young ordered Throckmorton's company to join troops already stationed at Fort Cobb.<sup>24</sup> However, Throckmorton did not immediately join his men at the frontier garrison. Instead, Young requested that the former senator accompany him to Texas and help inform the frontier settlers of the current circumstances which existed north of the Red River. The two men brought news that Union troops under the command of Jim Lane were planning to attack Arkansas and, if successful, would then carry their attack forward to the North Texas region. Throckmorton and Young also informed their fellow citizens that Brigadier General Ben McCulloch

suggested that a general call to arms might soon be forthcoming in an effort to raise enough troops to counter Lane's forces. McCulloch's message stated that "the State of Missouri is almost subjugated; the small force she has yet in the field is being driven back upon Arkansas. We march today to help and aid them!" McCulloch also attempted to stir racial animosities by subtly equating the approaching Union forces with past ethnic enemies: He stated "Texans remember your former victories and prepare to march to others. You won your independence from Mexico and will again do it from a more tyrannical foe. The South will never be subjugated, NEVER, NEVER!"<sup>25</sup>

On July 9, Throckmorton wrote to Governor Edward Clark informing him of General McCulloch's assessment of the battlefield in Missouri and Arkansas and requested that the governor arrange for his regiment to join McCulloch's command.<sup>26</sup> He stated "I [Throckmorton] have just returned from a trip with Genl Young to see Ben McCulloch at Fort Smith. He had no authority to [receive] our regiment, but expected out of necessity to have to call for troops from Texas soon." Throckmorton continued, "I see it stated in the papers that two regiments will be [received] from Texas. Now my Dr Sir, don't overlook our section. Our regt is all ready complete and stationed in the forts north

of [the] Red River." Throckmorton revealed that he planned to leave the following morning to join his command at Fort Cobb.<sup>27</sup>

Throckmorton waited before answering McCulloch's general call to arms. During this delay, his volunteer company remained at Fort Cobb until the end of August when they returned to Sherman to obtain winter provisions for their company.<sup>28</sup> While in the North Texas town, Throckmorton and his men resigned from state service and joined the regular Confederate army. Apparently, during their return home, the men learned that their company was listed as part of a volunteer regiment in the state militia, rather than in the Confederate army. Throckmorton wrote to Governor Clark regarding the company's resignation: He stated "the company which I command, in the Regiment of Col Wm C Young, when they ascertained that they were not in the Service of the Confederate States . . . disbanded—which was on the 31<sup>st</sup> day of August 1861."<sup>29</sup> Throckmorton and many of the men under his former company of volunteers went to Camp Bartow, near Dallas, and officially mustered into the Sixth Texas Cavalry on September 12, 1861.<sup>30</sup> Throckmorton was commissioned as captain of Company K, in the Second Regiment of Texas Cavalry Volunteers, commanded by Colonel B. Warren Stone.<sup>31</sup>

After mustering into the Confederate service, Stone's regiment marched forward to join McCulloch's army at Camp Jackson, near Van Buren, Arkansas, on October 16.<sup>32</sup>

Stone's regiment faced its first major test in combat on December 26, 1861, at the Battle of Chustenahlah in the Cherokee Nation. At Chustenahlah, Stone's regiment confronted a group of Creek Indians who remained loyal to the Union and who were traveling north to seek the protection of Federal troops stationed in Kansas.<sup>33</sup> Douglas John Carter who served in the Third Texas Cavalry recalled the battle:

It was Christmas day, 1861 when we came upon the enemy some ten or twelve miles from where we had spent the night. Their pickets fired a few shots at our advance column and retreated to their main army which occupied a very strong position, fortified by nature on a hill, a real breast work of rocks and standing trees, and behind these they were waiting to receive our attack. We formed a line of battle in front of them. Bullets and arrows were coming pretty fast. A feathered arrow passed in front of my face just before we were ordered to dismount, and produced a strange sensation in me. After dismounting we were ordered to leave every fifth man to hold our horses. Henry Miller of our company was crying when the order came to charge because he had been detailed to hold horses. We made the charge in 'double quick' and climbed over the breast works. They fired volley after volley of rifles and arrows as we charged and climbed over those rocks. Seeing they could not stop us, they commenced running. We were then ordered to go back for our horses and get over those rocks with them as best we could and form in line and continue the charge.

Some of those Indians were very brave and daring and would not leave, but continued to shoot. Of course, they were killed. One big feathered cap fellow stood out from the trees and continued shooting until he fell. I had shot both barrels of my gun and one of my holster pistols at him before he fell. I don't know who killed him. I thought I had, but some others of our company said they shot at that feathered cap Indian. We continued this running fire about seven miles and until there were no warriors in sight.<sup>34</sup>

According to the battle report of Lieutenant Colonel John S. Griffith, Sixth Regiment Texas Cavalry, Throckmorton led his men with grit and valor. Griffith stated, "To the brave and gallant Captains Ross, Hardin, Wharton, and Throckmorton . . . I am much indebted for the success we had by their fearless charges in the front of their respective commands, which so signally routed the enemy from every point." Griffith concluded his report with "I must return my sincere thanks to Captains Ross, Wharton, and Throckmorton, and Adjunct Gurley for timely assistance when I was in imminent personal peril, and my gratitude to Providence for crowning our arms with victory."<sup>35</sup> The Creeks lost more than three hundred men and all of their provisions, wives, children, and slaves.<sup>36</sup> Following the battle, Throckmorton returned to his home in McKinney, escorting the remains of his friend Gabriel S. Fitzhugh who lost his life during the course of battle.<sup>37</sup>

Captain Throckmorton rejoined Company K in winter quarters near Fayetteville, Arkansas, in mid-February 1862.

Following Throckmorton's arrival in Fayetteville, his company received orders to ride northward toward Bentonville, Arkansas. After several skirmishes along the route to their destination, Throckmorton and his men were involved in the Battle of Elkhorn, also known as Battle of Pea Ridge. Even though Pea Ridge proved to be a Confederate blunder which ended any hopes of bringing Missouri into the Confederacy, Throckmorton and his men were once again cited for bravery under fire. In a report submitted on April 14 to Major General Earl Van Dorn, Commander of the Trans-Mississippi District, Colonel Stone stated that his "regiment gallantly led [a] brilliant charge, which was but momentarily withstood by the enemy, who left his guns in the most precipitous flight." The colonel continued by stating that "the first three companies, under Captains Wharton, Throckmorton, and Bridges, poured a most destructive fire upon the enemy near his guns, killing more than 80 of his number. Thanks to these gallant officers for their promptness, valor, and success."<sup>38</sup>

During the course of the Battle of Elkhorn, a Union bullet took the life of General McCulloch. As a result,

Colonel Stone's Cavalry unit transferred to General Earl Van Dorn's command. On March 19, General Pierre G. T. Beuregard, ordered Van Dorn to move his forces to Corinth, Mississippi, and protect the Memphis and Charleston railroad from the approaching Union army under the command of Brigadier General Ulysses S. Grant. Despite the importance of this assignment, Colonel Stone resigned his command and returned to Texas to raise another regiment: It seems evident that the colonel no longer had confidence in Van Dorn's leadership abilities. Even though he respected the colonel's decision to return to Texas, Throckmorton decided to make the trip to Corinth with his men.<sup>39</sup> However, upon arriving in Mississippi, the North Texan fell seriously ill and was forced to accept an honorable discharge on May 25, 1862, after which he returned home to recover.<sup>40</sup> Throckmorton's ailment was not recorded, but it seems likely that he suffered from some form of kidney ailment just as he had during the Mexican War.

On account of his earlier stance against secession, Throckmorton made several dire enemies who would not forgive him for his earlier Unionist sentiments. Upon returning home, he discovered that his political adversaries had circulated a report stating that he had

left the service at Corinth because he had not been offered a rank higher than captain, and thus he had returned home in hopes of obtaining a higher command with a new volunteer regiment.<sup>41</sup> While other Confederate military leaders, especially commanders of volunteer companies, might have used such tactics as a way to improve their rank within the military, the accusations regarding Throckmorton seemed to be unfounded.

In another effort to further impugn Throckmorton's character, one of his political enemies nominated him for a position in the Federal government, and as a result, President Lincoln appointed the former North Texas Unionist as a commissioner for the collection of taxes in the rebel district of Texas. Thus, his enemies claimed that Throckmorton was consorting with other Unionists and was in essence an apparent traitor to the Confederacy.<sup>42</sup> Throckmorton answered these charges in a letter published in the *McKinney Messenger* on August 20, 1862:

I have by no word, act, or deed countenanced in any manner whatsoever, or been privy to this or any other appointment. So far as I am concerned it is wholly unwarranted. Nor have I had any connection or correspondence with any person whatever since the war began who is in the confidence of, or friendly with, the government of the United States. . . . Because I and thousands of others in our state believed that our southern leaders were too rash and precipitate and that

other remedies should be resorted to before secession, is no reason why I should look on approvingly and see the mad hand of fanaticism kindle the flames that are to consume every city, town, and hamlet throughout the South.<sup>43</sup>

This public pronouncement addressed the charges of his enemies, but Throckmorton also acknowledged for the first time in writing why he and undoubtedly other North Texans were fighting in the war. He stated that "The best and unscrupulous conduct of the Lincoln administration upon the slave question, its utter disregard of the Constitution, . . . too clearly show that this is a war, not only against our institutions and property but a war of entire and utter subjugation." The former senator continued by stating that "it is the determination of the Federal Government to make slaves the equals of white men, to rob us of our property, and to make Southern freedmen hewers of wood and drawers of water, none can doubt."<sup>44</sup> Throckmorton could not have made clearer his intention of fighting a war to preserve the white supremacy on the southern frontier.

Adding to Throckmorton's problem was the discovery of a secret peace party conspiracy in North Texas, especially in the counties of Grayson, Wise, and Cooke. The peace party, also known as the loyal league, was made up of Unionists and other individuals who entertained the idea of

bringing the war to an end through negotiations rather than continuing to fight a prolonged war. Furthermore, the members of the peace party movement opposed the Confederate conscription law which was passed in April 1862, an act which threatened to force Unionists into the Confederate military.<sup>45</sup> The members of the peace party met in secret and created an organized hierarchy with those closest to the top being the strongest advocates of negotiating peace with the Federal government. Apparently, the group's plan was to increase their numbers until they were strong enough to mount a revolt against Confederate authority in the state, reclaiming Texas for the Union. The plot went according to plan until Newton Chance, a loyal Confederate from Wise County, was approached to join the movement. Chance immediately reported the incident to William J. Hudson, a Confederate officer at Gainesville. The result was that Confederate authorities detained some fifty-five men and hanged more than forty of them for treason. Although some of the members of the organization were of questionable character, many of the men were forthright citizens who were misled to the true nature of the secret society. They were simply told that the society was created to promote peace between the North and the South.<sup>46</sup>

Throckmorton was the friend of several of the Union

men involved in this matter, and he felt personally responsible for their plight. Many of the accused Unionists had supported Throckmorton during the secession movement, and their loyalty to the Union was strengthened as a result of his influence. Also, the North Texan agreed with peace party members' position on the Confederate conscription law of 1862. In October 1862, Throckmorton learned that local authorities had arrested several Unionists in the nearby town of Sherman, Grayson County, and were preparing to lynch them. Fearing another incident like that which unfolded in Gainesville, Cooke County, the North Texan traveled to Sherman with the state district judge Robert W. Waddell and defended the men's right to be fairly represented in court. While their specific arguments were not recorded for posterity, the two men's plea for due process of the law persuaded local authorities to send their prisoners to the Confederate district court at Tyler where all were eventually released.<sup>47</sup>

Despite showing favor to some of the accused Unionists, Throckmorton did justify the lynching of others in the Red River counties by stating that a "great good to society" had been accomplished because a group of dissenters had been eliminated. Apparently, he made these comments after learning that some of the dissenters hanged

at Gainesville had murdered his former commander and friend Colonel William C. Young. Additionally, the senator believed that the accused individuals posed a threat to the white society on the frontier especially considering that they were found guilty of aiding a Federal invasion of North Texas.<sup>48</sup> Thus, while he could appreciate their Unionist stance, Throckmorton could not accept the idea of destroying the community which he helped to create on the frontier, and as a result the former senator justified the executions of North Texans who did not wholeheartedly pledge to protect the interest of the people living on the frontier.<sup>49</sup>

The peace party movement in North Texas forced Throckmorton once again to think about the vulnerability of white settlers located on the frontier. On October 25, 1862, the North Texan sent a letter to Governor Lubbock expressing his concerns. He offered to raise and to command a new frontier regiment. In the communication to the governor, he stated that "the fact that the multiplied thousands of our gallant men are beyond the Mississippi & beyond the limits of this state, and the threatened invasion of our soil from the north, as well as the federal landing on the coast, our own internal commotions [peace party movement], and defenseless condition has filled me

with serious apprehension."<sup>50</sup> Throckmorton ascertained that if the Federal Army moved into the Indian territory, "the reserve Indians . . . will be turned loose on our border—and our grain section here will be an inviting field for federal raids—perhaps invasion."<sup>51</sup> Once again, Throckmorton revealed that whites on the North Texas frontier were gravely concerned about the threat that Native Americans posed to settlers living in the northern region of the state. Throckmorton concluded his letter by suggesting that he was willing to assume command of any troops that the governor would authorize for service in his region of the state.<sup>52</sup> Lubbock, however, had other plans: The governor was in the process of transferring state troops to Confederate service and did not plan on organizing additional forces for service on the frontier.

Frustrated that Lubbock failed to see the validity of his request, Throckmorton rejoined the Confederate army.<sup>53</sup> He joined Colonel Stone in February 1863 in organizing a new regiment: Throckmorton was commissioned a major in Colonel Isham Chisum's Regiment of Texas Cavalry, also known as the Second Partisan Rangers.<sup>54</sup> The men gathered together at the town of Fairfield in Freestone County and remained there until March.<sup>55</sup> Confederate leaders then ordered the regiment to Navasota, Grimes County, where they

spent much of their time engaged in military drills, gathering supplies, and mustering men into their regiment. Colonel Stone was able to raise and equip two regiments before receiving orders in late April to report to Louisiana.<sup>56</sup> Between May and August 1863, Colonel Stone's regiments engaged Federal troops in Louisiana at Cheneyville, Brashear and Fort Butler. During this time Throckmorton's health failed him once again: Apparently, he suffered a renewed bout with kidney disease and was eventually forced from the field to a hospital in Vermillionville, Louisiana. While in Vermillionville, the North Texan learned that his friends back home had elected him to represent Collin and Grayson counties in the state senate. As a result of his failed health, the army discharged Throckmorton on September 12, 1863, and he started the long journey back home to resume his political career.<sup>57</sup>

When Throckmorton arrived in Texas in late September, he found the North Texas region in turmoil. North Texans still remained unsettled by the conscription issue. Because they were determined to keep troops on the frontier, many North Texans refused to serve in the eastern and central theaters of the war. As a result, Confederate authorities deemed the northern region of the state as a

haven for deserters, common criminals, and staunch Unionists, viewing such parties as threats to the sovereignty of the Confederacy.

Concerned that dissent in North Texas might lead some Unionists to ship their crops and livestock to Union troops in the North instead of sending the goods to Confederate troops in the eastern theater, Confederate authorities sent regular troops to the region in 1863. Brigadier General Smith P. Bankhead, who was successful in combating German dissenters in Central Texas, took command of the newly formed Northern Subdistrict. Bankhead proved ineffective in dealing with dissent in the region, and Lieutenant General Edmund Kirby Smith, commander of the Trans-Mississippi Confederacy, replaced him with Brigadier General Henry E. McCulloch, who also proved successful in dealing with dissent in Central Texas. Kirby and McCulloch forged a new policy that was designed to curb dissent in the region by offering amnesty to all deserters of the Confederate army, providing that they agreed to reenlist in the army. McCulloch asked prominent North Texas men, such as Throckmorton, to aid in successful implementation of the new policy.<sup>58</sup>

In an effort to calm the crisis that was developing in the northern counties, Throckmorton published a letter to

his constituents in local newspapers in October 1863. The newly elected senator reminding them that if the Confederacy failed to win the war, the white society which they had forged out of the wilderness would be utterly destroyed. He wrote:

If we fail in this struggle [Civil War], we become the most degraded people on the face of earth. Our own slaves will be put on an equality with us by our masters. Nay, they will become our taskmasters. Our inheritance will be divided out with them. Our property will be confiscated and so burthened with taxes that the severest toll and most rigid economy cannot pay them. Our lands will be sold by the tax gatherer, and Yankee capital will become the purchaser; our whole country will be overrun with Northern adventurers. Your ancestral homes will be filled with new faces of Northern aspect; your sons and daughters will mingle their blood with that of the new-comers. You and your sons will become renters of your own soil, and wanderers on the face of the earth; and in a few years the race of southern chivalry in this beautiful land of ours, will have extinct and numbered among the things that were.<sup>59</sup>

In part, Throckmorton wrote this letter to persuade the citizens of North Texas to renew their commitment to the Confederate cause and to convince deserters to return to their post, but the underlying meaning of the excerpt above is clear: The senator wanted to remind people that white supremacy on the frontier was in danger. Apparently, President Lincoln's Emancipation Proclamation convinced Throckmorton that the Federal government was now waging a

war to free the slaves and perhaps to give them an equal status with southern whites.

Throckmorton's call for support of the Confederacy had a limited impact on many North Texans. For example, Henry Boren, the leader of a large contingent of men in the North Texas region, sent word to McCulloch that his men would join the Confederate service if they were permanently stationed near their homes and families. Brigadier General McCulloch was angered that Boren's men still refused to serve anywhere except on the North Texas frontier and issued a stern warning to them in a letter penned on October 24, 1863. McCulloch stated that the Texans would be allowed to temporarily remain in the region with the understanding that "this [would] be done, however, with the distinct understanding that you cannot be allowed to elect officers, and that you may be ordered to meet the Yankees if they approach this section of the country from any quarter." McCulloch then issued Boren and his men another warning "if you are not willing to fight our common enemy . . . I don't want you on the frontier or anywhere else in our service. If you are not willing to do this, you are not our friends, and properly belong to the other side."<sup>60</sup> Such pronouncements from McCulloch did little to stabilize conditions on northern frontier.

In November, Senator Throckmorton traveled to Austin and assumed his duties in the Tenth Legislature of the Texas Congress. During his tenure in the state senate, the North Texan debated and voted on several key issues confronting the Lone Star State, including the depreciation of Confederate currency, the Confederate government's impressment of cotton, the continued development of economic enterprise, the rising rate of crime, and various other less significant matters. Throckmorton's position on the issues were by this time predictable. The senator staunchly supported the economic development of North Texas and called for the protection of the settlers in the region. However, he also believed that the Confederacy had to succeed in its bid for independence from the Union.

Despite the apparent gravity of the circumstances surrounding conscripts and dissent in the frontier counties, the legislators spent relatively little time debating the matter.<sup>61</sup> However, the state leaders did not ignore the issue completely. On December 15, 1863, the solons approved an act for protecting the frontier. The legislators called for the formation of able-bodied men from certain counties to enroll in small frontier companies to protect the Texas frontier from Indian raids. According to the provision, the governor was to divide the frontier

into three separate regions and appoint a commander over each. The commanding officer was instructed to accept only *bona fide* men, meaning those individuals who actually lived inside the counties that they were charged with protecting. One-fourth of the men in each district was to remain on duty at all times, and the commander could call all of his men into service in an emergency. Also, the governor could order the frontier forces to any place on the frontier to prevent Indian raids or other lawless activities, providing the men were not used for more than one month at a time.<sup>62</sup> As a result of the changes in frontier legislation, Governor Murrah initiated a new policy concerning the use of Texas soldiers on the frontier: Apparently, the governor deemed it more appropriate to use the able-bodied men of his state to defend the frontier rather than serve in the Confederate armies in the Trans-Mississippi theater of war.<sup>63</sup>

Beginning on January 6, 1864, Murrah implemented the new frontier defense policy. The policy had two goals: First, Governor Murrah transferred the Frontier Regiment to Confederate service on March 1, 1864.<sup>64</sup> Second, the governor authorized the organization of a new frontier force—the Frontier Organization. The new state troops helped to fill the void which would exist after the

Frontier Regiment was officially transferred to the Confederate Army.

Governor Murrah immediately formed the new Frontier Organization, wanting to have the regiments in place by March 1, 1864, when the existing state troops were scheduled to transfer to the Confederate army. Following the legislature's guidelines, the governor divided the frontier counties into three districts and appointed suitable men to command the troops stationed in the new districts: William Quayle commanded the First Frontier District, headquartered in Decatur; George B. Erath commanded the Second Frontier District, headquartered in Gatesville; and James M. Hunter commanded the Third Frontier District, headquartered in Fredericksburg.<sup>65</sup> The appointed commanders immediately filled their ranks with new recruits and by March 1, 1864, approximately four thousand men were mustered for frontier service.

By forming the Frontier Organization exclusively for use on the fringes of Anglo settlement in Texas, Governor Murrah and the legislature found themselves in direct confrontation with Confederate authorities, who claimed that all frontier units, including the newly formed Frontier Organization, were deemed available for service in Confederate army outside the state. In essence, the

members of the Texas government were involved in a constitutional debate with Confederate commanders over the legal status of conscription. Governor Murrah claimed that the state law which gave him the authority to form frontier forces was superior to the conscription law passed by the Confederate Congress. Conversely, Confederate commanders in the Trans-Mississippi Department disagreed, believing that the laws passed by the Confederate Congress trumped the state's laws. The military's position regarding conscription became even more uncompromising after the summer of 1863 when it became apparent that the tides of war were going against the South, and Confederate recruitment began to decline.

As a result of the increasing need for men in defense of the Trans-Mississippi theater of the war, General John B. Magruder, Confederate commander of the District of Texas, New Mexico, and Arizona, attempted to force conscription on all eligible men in Texas. Governor Murrah balked at Magruder's heavy-handed tactics but gave into the general's demand for troops once the U. S. Army, under the command of General Nathaniel Banks, moved up the Red River in the spring of 1864 and threatened to invade northeastern Texas. However, even as his state faced possible invasion, the governor wrote to General Magruder requesting that the

commander define how many troops were needed and detail where the recruits would be stationed outside the state. The governor's concession came too late to affect the outcome of the Red River campaign, but it did effectively end the controversy between state and Confederate authorities over the question of conscription.<sup>66</sup>

In an effort to enlist men from the Northern Sub-District in Texas, General Magruder suggested that the Confederate authorities use influential men from the region to aid in recruitment. Knowing that approximately 10,000 men in the northern sub-district were eligible for military service, Magruder stated "of these, several thousand can be got out by influential men like Throckmorton, using his influence as a State brigadier-general, but if the general [Kirby Smith] would appoint Brigadier-General Throckmorton . . . to have the same rank in the Confederate Army, we could thus secure his influence and utmost exertions, and furnish a brigadier-general to the reserve brigade."<sup>67</sup>

While the state and Confederate authorities came to a mutual agreement over conscription, Governor Murrah and the Texas legislature never fully conceded state control over potential draftees who resided on the Texas frontier. The governor continued to maintain the position that frontier settlers should be able to protect their homes and were not

liable to Confederate conscription. The Confederate Conscription Bureau of the Trans-Mississippi Department attempted to seize control over frontier conscripts in Texas throughout the summer and fall of 1864, but the state government refused the bureau's demands. General Kirby Smith finally deemed the situation in Texas as hopeless and submitted the matter to the Confederate government for a final resolution, but before the matter could be settled, the war ended.<sup>68</sup>

Brigadier General Throckmorton became concerned with the growing division between die-hard Confederates and those individuals who questioned the viability of the southern war effort. Throughout 1864, Throckmorton began to doubt whether the Confederacy could successfully win independence from the United States. The clearest expression of his concerns and doubts about the war were evident in a letter to his close friend and confidant, Benjamin H. Epperson. In his correspondence, Throckmorton discussed his concern over a set of resolutions that radical Confederates introduced on the opening day of the second extra session of the Tenth Legislature which met from October 19 to November 15, 1864.<sup>69</sup> The senator noted that "on the first day of the session [the legislative considered] a long set of resolutions that [declared] the

power to make peace [with the Federal government] was delegated to the Confederate government [and] that Texas would never reconstruct." Throckmorton was against the introduction of these resolutions because he believed that it would produce disunity among the state's leaders and the people of Texas.<sup>70</sup>

The primary cause for Throckmorton's alarm was the extremism of those who sought to condemn any individual who did not fully support the Confederacy. The North Texas politician openly challenged Senator Chauncy Shepard's statement that "any man who talked of reconstruction would be hanged."<sup>71</sup> Throckmorton reminded his colleagues:

Enthusiasm [for the war] was first damped by the conscript law, which had induced thousands of gallant soldiers to believe that they were serfs & slaves and not freemen—that this was a government in the opinion of these men not supported by the voluntary offering of a free people, but supported by a military despotism—that instead of being left to their chivalry & devotion to the cause of liberty to sustain the government they were hunted down like wild beasts & forced into the ranks of the army with the bayonet thrusting them along . . . Then I reviewed our actual condition—the loss of territory—the immense destruction of property—the thousands dead & thousands maimed & diseased . . . judging by the past four years more would bring our armies to the waters of the gulf & the conscription up to the age of 100—from a million of fighting men to none—if this statement should continue—if Congress kept on centralizing the government—if the military were to continue to grind the people into the dust with the iron heel of tyranny . . . If then, in such a fearful

contingency, some old gray haired minister of God's holy church who through years of weary toil & suffering prayed for our success, but . . . believed that the war should cease, and that reconstruction was the surest & best means to ensure it. Was he, I asked, to be swung to a limb?<sup>72</sup>

After venting his frustrations about the illogical position of the extremists, Throckmorton reaffirmed his personal commitment to the Confederacy. Furthermore, he told Epperson, "I asserted that I was not for reconstruction-but for separation & Independence & that I wished no one to misunderstand me in this. Now you will see from this what course I think we (you & I) [should] pursue. Let everybody else take a different course if they will. But let us be the last to yield."<sup>73</sup> It was clear that Throckmorton did not want to violently suppress the growing dissent in the Lone Star State, especially in North Texas. However, he also believed that a Confederate victory was the only way to protect the dominant position of whites in the state. Thus, the senator continued to give unwavering support to the Confederate military until it proved itself incapable of protecting white supremacy in Texas.

When the state legislature was not in secession, Throckmorton commanded troops on the Texas frontier. As a

military leader, the North Texas politician served as a brigadier general of two different frontier forces. On March 1, 1864, Governor Murrah appointed Throckmorton as a brigadier general of the Brigadier District Number 3, one of six militia districts created for service on the frontier.<sup>74</sup> Throckmorton maintained this position until the governor ordered him in October 1864 to replace Major William Quayle as commander of the First Frontier District in October 1864.<sup>75</sup> Therefore, Throckmorton remained in the state's frontier forces and carried out his charge of providing military protection to the citizens of the Red River counties. Additionally, Throckmorton's troops tracked down Confederate deserters and helped local officials maintain law and order within the northern region of the state.<sup>76</sup>

Throckmorton dutifully carried out his orders, especially after assuming command of the First Frontier District. With an increase in Indian depredations on the frontier, Throckmorton ordered the frontier settlers to build blockhouses and stockades in which to live and protect themselves from potential attacks.<sup>77</sup> He urged the men of the Frontier Organization to cultivate a friendly intercourse with the Confederate forces when they were serving in the same area, and he took steps to rid the

frontier forces of men who were not residents of the frontier region prior to July 1, 1863. Throckmorton also recruited new men for service in the Frontier Organization. Largely due to his efforts, the First Frontier District had twenty-six companies with a total enrollment of 1436 men by December 1864.<sup>78</sup>

To help combat Comanche and Kiowa warriors who were crossing the Red River and raiding North Texas settlements, Throckmorton suggested to the governor that some of the men under his command be used as search-and-destroy units which would primarily operate in the Indian Territory. In February 1865, the North Texas commander further recommended that the newly formed units be give leeway to openly confront hostile Indians, Jayhawkers, outlaws, and military deserters. In regard to attacking inauspicious tribes in the Indian Territory, Throckmorton believed that the soldiers should confiscate their enemies' property. By doing this, Throckmorton proposed that the Indian's property should be given to his men and that the total valuation of the confiscated items could be deducted from their pay. In this way, the units would be self-sustaining, would be active in the frontier, and would keep him informed of the enemies' movements. Despite the apparent logic of Throckmorton's plan, bad weather and

logistical problems prevented the search-and-destroy units from effectively fulfilling their task.<sup>79</sup>

Throckmorton was also concerned that his men were not properly provisioned. This had been one of the motivating factors behind creating the self-sufficient, search-and-destroy units. Circumstances apparently were bad enough that Throckmorton called on the state government to organize the frontier forces into an active unit under the command of the Confederate authorities, believing that the southern government was in a better position to supply his troops with adequate provisions. Additionally, the North Texas commander informed the governor that most of the soldiers serving on active duty with the frontier troops, or in reserve for emergency measures, would be willing to spend three-fourths of their paychecks for provisions and transportation. The advantages according to Throckmorton were two-fold: First, this arrangement would provide frontier soldiers with some form of regular compensation, thereby improving the overall morale and discipline among his troops. Second, the provisions purchased for his command would primarily come from the North Texas region, allowing farmers and manufacturers in the Red River counties to survive the economic hardships caused by the war.<sup>80</sup> However, before the governor and Confederate

authorities responded to Throckmorton's suggestions, the Confederacy reassigned the North Texan to the Department of Indian Affairs.

Throckmorton's superiors deemed his military service between January and March 1865 as honorable. The Collin County politician had never shown any outward signs of disloyalty to the Confederate cause. Nevertheless, as the war continued and as casualties mounted, Throckmorton continued to seriously doubt the rebels' ability to win the war. In a letter written to Epperson on February 3, 1865, Throckmorton expressed that a Confederate victory hinged upon the southern government's ability to secure foreign assistance. He told Epperson that "I presume Mr. Davis all ready knows what terms we will have to subscribe to get foreign aid. The abolishment of slavery is the first sacrifice. This is the base of all other terms."<sup>81</sup> The North Texas senator could easily accept this proposition considering that he only owned one slave, and therefore, his personal economic loss would be minimal compared to large plantation owners who had a significant amount of money invested in slaves. Also, Throckmorton knew that abolition would cripple the political and social dominance of the slaveholding planters. Throckmorton continued by stating that he expected "to remain faithful to the

Confederacy and the State until the people determine another course. But I feel if the Ship of State is compelled to founder that duty & patriotism requires every effort be made possible to save the crew." The senator concluded that "if there is no chance for foreign help, we should make terms while we are in a condition to demand living ones, and not postpone it until the chains of slavery are riveted upon a helpless people."<sup>82</sup> Throckmorton understood that the Confederacy was on the verge of collapse.

In March 1865, Leathercoat wrote to Epperson once again regarding the states of the Confederacy and the inevitability that foreign aid would not be forthcoming. Throckmorton stated that "if this be true [that no foreign aid could be obtained], and everything now indicates that it is, nothing but diplomacy and skill [brought] to bear [on] Lincoln and the federal government can save us from irretrievable ruin, and the most appalling degradation." He continued, "I have strong hope that some of the statesmen of the Confederacy know and appreciate the condition of affairs, and are determined to make a mighty effort to save us. This can only be done, I imagine, by reconstruction." He soberly observed that "we may have to give up slavery, but even that is not hopeless if properly

managed; or at least the force of the shock to the great industrial interests of the Country may be greatly paralyzed and deadened."<sup>83</sup> This letter indicated Throckmorton's loyalty to the white frontier ideology: the abolition of slavery did not mean the end of white dominance over blacks, but it would effectively remove the threat of future political dominance of white slaveowners. Additionally, his willingness to secure a peaceful and quick reconstruction with the Federal government reveals that he no longer believed that the Confederate government could win the war.<sup>84</sup>

In March and April 1865, the Confederate government desperately sought to enlist the help of Native Americans in their failing attempt to win independence from the Federal government. Confederate authorities believed that Kiowa, Arapaho, Cheyenne, Shoshone, Snake, and Blackfoot tribes were willing to make peace with the Confederacy. Captain M. L. Bell, the Assistant Superintendent of Indian Affairs of the Confederate States of America, sent Major J. C. Vore, a Confederate Indian agent to the Creek Indians, to consult with the various tribes and to explore whether a meaningful peace treaty could be arranged between them and the Confederate government. Acting on the advice of Major J. C. Vore, General Kirby Smith, without

consulting Governor Murrah, appointed Throckmorton as the Confederate Commissioner to the Indians. He proved to be a good choice. The North Texan was well known and respected by many of the principal tribes living in Texas. Seeing the soundness of General Smith's decision, the governor appointed Major John W. Lane as a substitute to command the First Frontier District and immediately commissioned Throckmorton as an Indian agent for the State of Texas, giving the former commander wide latitude in making peace with the frontier Indians. Throckmorton left Decatur, the First Frontier District headquarter, and traveled to Kenzos on the Washita River, near Elm Springs, for the scheduled May 15 meeting with the various tribes in the Indian Territory.<sup>85</sup> Confederate authorities ordered Throckmorton, known as Leathercoat to the Native Americans, to obtain a peace agreement between the friendly tribes of the Indian Territory and to secure Native American support for a potential Confederate raid into Kansas. In essence, Throckmorton was charged with making a tripartite agreement between the Native Americans, the Lone Star State, and the Confederate government. Concerned that Native Americans might be unwilling to negotiate with an agent from Texas, General Smith decided to have an additional agent accompany the North Texan during negotiations which were slated to

take place at Council Grove, Indian Territory, in early May 1865. General Smith first asked Albert Pike of Arkansas to join Throckmorton, but when the Arkansan declined, the Confederate commander selected Colonel W. D. Reagan, a judge in the military court of the Trans-Mississippi Department. Colonel Reagan accepted the position and immediately set out to join Leathercoat who was already in the Indian Territory.<sup>86</sup>

Brigadier General Throckmorton and Colonel W. D. Reagan set up a council meeting with a number of warriors and chiefs from the following tribes: Choctaws, Cherokees, Seminoles, Creeks, and Osages. The Confederate agents even asked some of the more war-like tribes to attend the peace talks, including the Comanches, Cheyennes, Caddoes, Arapahoes, Lipans, Kickapoos, Kiowas, and a limited number of Sioux. Official reports estimated that there were approximately twenty thousand Native Americans present at the council meeting. During the course of negotiations, Brigadier General D. H. Cooper, Confederate commander of the Indian Territory, sent Throckmorton a dispatch informing him that the Confederacy was in dire straits. Cooper believed that their county's circumstances would preclude Throckmorton from "undertaking anything more than to secure peaceful relations among and with the Indians."<sup>87</sup>

Confederate commanders in the Trans-Mississippi realized that by 1865 an attack on Kansas was impractical, and therefore they abandon their original plans to secure support for an Indian-Confederate raid.

Heeding the advice of General Cooper, Leathercoat once again focused on protecting the frontier by attempting to negotiate a treaty with the Indians which would forbid the tribes in the Indian Territory from traveling south of the Red River. Masking his racial motivations, he argued that frontier citizens could not tell which Native Americans were friendly and which were foes. Leathercoat had a single solution: If all the various Indians tribes agreed to stay north of the Red River, he argued there would be less chance of accidentally killing members of tribes who were not hostile to frontier settlers. While the North Texan's argument seemed logical, the chiefs refused to sign any agreement that required them to give up their rights to travel south of the Red River and freely hunt on lands west of Anglo settlements during the autumn months.

Throckmorton, however, was able to secure a mutual agreement which promised friendly relations between the frontier settlers and the various tribes represented at the council meeting. After winning the best terms possible, he returned to Texas in the early June 1865. Upon his

arrival, he discovered that General Kirby Smith had surrendered the Trans-Mississippi Department to Federal troops just two weeks prior to his return.<sup>88</sup> The Confederacy was destroyed.

On May 26, 1865, the rebellion came to an end once General Kirby Smith surrendered command of the Trans-Mississippi Department to Union forces. The Frontier Organization continued protecting the Texas frontier until the latter part of the summer 1865 when the Federal military disbanded its units. Once the Native Americans discovered that the Texas frontier was void of defensive troops, the more hostile tribes resumed their attacks on the settlers, effectively pushing the frontier line in the Lone Star State eastward by a distance of 150 to 200 miles from its pre-war position.<sup>89</sup> It seemed that the Anglo society which had existed on the southern frontier since the 1840s was on the verge of destruction.

On June 10, General Philip H. Sheridan, United States commander of the Military Division of the Southwest, ordered General Gordon Granger to occupy the Lone Star State with a force of 1,800 men and to establish strategic interior posts between Galveston Island and the small town of Brenham, Washington County. General Granger entered Galveston on June 19 and found the state in shambles.

Despite the pleas of Governor Murrah for county authorities to protect the public property of the state, former Confederates soldiers began stealing state property, including guns, ammunition, horses, and wagons. Some soldiers even began looting local merchants and county treasuries, as well as the state treasury in Austin. The ex-Confederates justified their actions by simply stating that they had not been paid for their military service and that they were only taking what was owed them. The actions of these miscreants stimulated general mayhem in the state. Circumstances did not improve when state officials who feared prosecution at the hands of the approaching Federal army fled to the safety of Mexico: Governor Murrah was one of those officials seeking asylum in a foreign land. With no official government in Austin and the county governments in disarray, lawless bands formed in the state and began a wider campaign of looting and murder. The activities of these lawless rouges promised to bring the full weight of the Federal government to bear on all Texans in an effort to restore order to the state.<sup>90</sup>

Throckmorton recognized that the uncontrolled violence posed a threat to conservative Democrats' chances of controlling the state government. As an able politician, he apparently understood that Unionists would capitalize on

the violence in an effort to secure political office. Throckmorton believed that these Unionists would side with Radical Republicans in Washington, D.C., and as a result, they would impose their political views on the citizens of Texas. On June 13, Throckmorton wrote to Epperson that he feared "Radicalism will prevail in the federal councils. If so, none of our sort will be elected [to political office], for the simple reason that the people will be easily persuaded that such things are done through the advice of our friends." The North Texan continued that "there must be another thing guarded against by us. We must prevent, if possible, too many men who were opposed to Secession to run for office. Whenever a man of an opposite policy can be found who is conservative & sensible offers. We should show a willingness to sustain him." Thus, Throckmorton revealed his views about the reconstruction of his state: Conservatives must triumph over the Radical Republicans in statewide elections. In essence, he and other North Texans believed that the defeat of the Confederacy was a golden opportunity to reconstruct the state's social and economic systems in such a way as to protect the white supremacy on the frontier. To successfully achieve this goal, prominent frontier politicians wanted to replace the antebellum plantation

system with an economic alternative which would encourage the former slaves, now known as the freedmen, to remain in the same geographical location where their former masters had held them in bondage. Additionally, these frontier politicians had to convince the state and national government to continue their relentless extermination of the Native American tribes which threatened to stall the westward advancement of Anglo cultural and society.

Throckmorton unequivocally supported the ideology of white supremacy and was willing to sacrifice his future political career to ensure that the frontier remained a white man's world.

## Endnotes

1. *Dallas Herald*, March 27, 1861; Baggett, "The Rise and Fall of the Texas Radicals," 24-25; Lynch, "J. W. Throckmorton"; Owens, "Presidential Reconstruction in Texas," 156-57; Holbert, "The Public Career of James Webb Throckmorton," 35-36; Elliott, *Leathercoat*, 63; For a general discussion of Unionist arguments in the Upper South states see Daniel Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis*, 104-09; For a general discussion of Texans who chose to serve in the Federal military see Frank H. Smyrl, "Texas in the Union Army, 1861-1865," *Southwestern Historical Quarterly* 65 (October 1961): 234-250.

2. Throckmorton to B. H. Epperson, January 19, 1862. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.

3. Donald F. Shaefer, "Locational Choice in the Antebellum South," 163-64.

4. James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 264-75.

5. Throckmorton to B. H. Epperson, January 19, 1862. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.

6. *Dallas Herald*, May 8, 1861; *Dallas Herald*, July 22, 1865; Elliot, *Leathercoat*, 66.

7. McPherson, *Battle Cry of Freedom*, 274-78; Baum, *Shattering of Texas Unionism*, 84; Roger Allen Griffin, "Connecticut Yankee in Texas," 167; Elliott, *Leathercoat*, 64-66; Buenger "Stilling the Voice of Reason," 96. Buenger shows the close connection of the North Texas region to the Upper South states.

8. *Dallas Herald*, April 17, 1861; *Clarksville Northern Standard*, May 11, 1861; Elliott, *Leathercoat*, 64.

9. *Clarksville Northern Standard*, May 11, 1861; Elliott, *Leathercoat*, 64.

10. *Dallas Herald*, May 8, 1861; Clayton E. Jewett, *Texas in the Confederacy: An Experiment in Nation Building* (Columbia: University of Missouri Press, 2002), 74-75; Robert W. Shook, "Federal Occupation and Administration of Texas, 1865-1870," (Ph.D. diss., North Texas State University, 1970), 162.

11. Throckmorton to Hamilton Bee, September 4, 1866. Throckmorton (J. W.) Letter Book. CAH.

12. *Texas Almanac, 1861* (Galveston: Galveston Weekly News Printing Office, 1862), 11-18. The almanac clearly shows evidence that Texans in general felt that the Federal government threatened the institution of slavery.

13. *Dallas Herald*, May 8, 1861; Alex Johnston to Governor Clark, April 30, 1861. Record of Edward Clark. TOG/AD/TSL; Jewett, *Texas in the Confederacy*, 74-75; David Paul Smith, "The Limits of Dissent and Loyalty in Texas." In Daniel Sutherland, ed. *Guerillas, Unionists, and Violence on the Confederate Home Front* (Fayetteville: University of Arkansas Press, 1999), 25-26; Nunn, *Ten Texans in Gray*, 84.

14. John Crockett to Governor Clark, May 1, 1861. Record of Edward Clark. TOG/AD/TSL; John Crockett to Governor Clark, May 5, 1861. Record of Edward Clark. TOG/AD/TSL.

15. W. C. Nunn, ed. *Ten More Texans in Gray* (Hillsboro, Texas: Hill Junior College Press, 1980), 173. Nunn explains that the Texans did not know that on April 16, 1861, General Winfield Scott ordered U. S. Colonel W. H. Emory to abandon all three forts and withdraw to Fort Leavenworth, Kansas.

16. *Dallas Herald*, May 8, 1861; For the Union perspective on the abandonment of Fort Washita, Fort Arbuckle, and Fort Cobb see *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1901), Series 1, Vol. 1, 648; Massey, "A History of Collin County," 73; Holbert, "The Public Career of James Webb Throckmorton," 44-45; Walter Tribble Chapin, "Presidential Reconstruction in Texas, 1865-1867" (M.A. thesis: North Texas State University, 1979), 15; Strambaugh and Strambaugh, *Collin County*, 64; Richard B. McCaslin, *Tainted Breeze*, 42.

17. *Dallas Herald*, June 5, 1861 and June 19, 1861. The Union forces had retreated from the three forts in the Indian Territory which were closest to the Texas border. Also, Colonel Young reported that the Native Americans in the Indian Territory were currently involved in negotiating a peace with the Confederate authorities.

18. *Clarksville Northern Standard*, May 11, 1861.

19. *Clarksville Northern Standard*, June 1, 1861.

20. *Clarksville Northern Standard*, June 1, 1861; Smith, "The Limits of Dissent and Loyalty in Texas," 78-79.

21. *Dallas Herald*, June 19, 1861.

22. *Dallas Herald*, June 19, 1861.

23. *Clarksville Northern Standard*, June 20, 1861; J. W. Throckmorton to Governor Clark, July 9, 1861. Records of Edward Clark. TOG/AD/TSL.

24. *Clarksville Northern Standard*, July 20, 1861.

25. *Clarksville Northern Standard*, July 13, 1861; *Dallas Herald*, July 10, 1861.

26. Nunn, ed. *Ten Texans in Gray*, 26.

27. J. W. Throckmorton to Governor Clark, July 9, 1861. Records of Edward Clark. TOG/AD/TSL.

28. *Dallas Herald*, August 28, 1861.

29. J. W. Throckmorton to Governor Clark, September 8, 1861. Records of Edward Clark. TOG/AD/TSL. This letter indicates that Throckmorton's company of volunteers served in the Indian Nation between June 22, 1861 and August 31, 1861; David Paul Smith, "The Limits of Dissent and Loyalty in Texas," 135-36.

30. *Dallas Herald*, September 11, 1861; *Supplement to the Official Records of the Union and Confederate Armies* (Wilmington, North Carolina: Broadfoot Publishing Company, 1998), Serial No. 79, Part II-Record of Events, 752 and 766; Elliott, *Leathercoat*, 66-70; Holbert, "The Public Career of James Webb Throckmorton," 45.

31. *Supplement to the Official Records of the Union and Confederate Armies*, Serial No. 79, Part II-Record of Events, 766; *Dallas Herald* (Dallas), September 25, 1861.

32. *Dallas Herald*, October 30, 1861; Nunn, ed. *Ten More Texans in Gray*, 173.

33. *Ibid*, 174.

34. Douglas John Carter, *As it Was: Reminiscences of a Soldier of the Third Texas Cavalry and the Nineteenth Louisiana Infantry* (Austin: State House Press, 1990), 103-04; For a more detailed account of the Battle of Chustenhlah see Douglas Hale, *The Third Texas Cavalry in the Civil War* (Norman: University of Oklahoma Press, 1993), 70-84.

35. *The War of the Rebellion*, Series 1, Vol. 8, 27-28; Holbert, "The Public Career of James Webb Throckmorton," 46.

36. *Dallas Herald*, January 15, 1862; Carter, *As It Was*, 104; Nunn, ed., *Ten More Texans in Gray*, 174.

37. *Dallas Herald*, January 22, 1862; Holbert, "The Public Career of James Webb Throckmorton," 46.

38. *The War of the Rebellion*, Series 1, Vol. 8, 303. For a comprehensive examination of the Battle of Pea Ridge see Hale, *The Third Texas Cavalry in the Civil War*, 85-100; Holbert, "The Public Career of James Webb Throckmorton," 46.

39. Holbert, "The Public Career of James Webb Throckmorton," 46-47; General Van Dorn was in part blamed for the Confederate loss at Pea Ridge and it is likely that Colonel Stone no longer maintained respect for his abilities as a military leader. For more information on the controversy see Hale, *The Third Texas Cavalry in the Civil War*, 98-100.

40. Holbert, "The Public Career of James Webb Throckmorton," 46-47; Elliott, *Leathercoat*, 73; Lynch, "J. W. Throckmorton," n. p.; Nunn, ed. *Ten More Texans in Gray*, 174. During the Mexican War, Throckmorton

suffered a similar ailment which forced him from the service of the United States Army.

41. Nunn, ed. *Ten More Texans in Gray*, 174.
42. Richard B. McCaslin, *Tainted Breeze*, 96; Elliott, *Leathercoat*, 73-74.
43. *Dallas Herald*, September 20, 1862; Elliott, *Leathercoat*, 73-74; Nunn, *Ten More Texans in Gray*, 174.
44. *Dallas Herald*, September 20, 1862.
45. McCaslin, *Tainted Breeze*, 39.
46. McCaslin, *Tainted Breeze*, 96; Ralph Wooster, *Texas and Texans in the Civil War*, 115; Ralph and Robert Wooster, "A People at War: East Texans During the Civil War," *East Texas Historical Journal* 28 (Spring 1990): 10-11; Smith, "Limits of Dissent and Loyalty in Texas," 134-38; Elliott, *Leathercoat*, 74-75.
47. Wooster, *Texas and Texans in the Civil War*, 115; Elliott, *Leathercoat*, 75.
48. McCaslin, *Tainted Breeze*, 105-109.
49. *Ibid.*, 108-09; *Clarksville Northern Standard*, November 1, 1862.
50. J. W. Throckmorton to Governor Lubbock, October 25, 1862. Records of Francis Richard Lubbock. TOG/AD/TSL; McCaslin, *Tainted Breeze*, 115-16.
51. J. W. Throckmorton to Governor Lubbock, October 25, 1862. Records of Francis Richard Lubbock. TOG/AD/TSL.
52. *Ibid.* Throckmorton would write Lubbock again regarding the matter of frontier defense in January 1863, see Extract of letter from Throckmorton to Governor Lubbock, January 4, 1863. Records of Francis Richard Lubbock. TOG/AD/TSL. The January letter reiterates the problems of maintaining troops on the North Texas frontier.
53. Governor Lubbock tended to support the Confederate conscription law of 1862 and was not in favor of increasing the strength of the frontier regiments.
54. Holbert, "The Public Career of James Webb Throckmorton," 47.
55. *Dallas Herald*, February 25, 1863 and March 25, 1863.
56. *Dallas Herald*, April 8, 15, and 29, 1863; and May 13, 1863.
57. *Supplement to the Official Records of the Union and Confederate Armies*, Serial No. 80, Part II-Record of Events, 354; *Dallas Herald*, June 10 and 24, 1863 and August 5, 1863; *Houston Tri-*

*Weekly Telegraph*, July 10, 17 and 21, 1863; Holbert, "The Public Career of James Webb Throckmorton," 47; Elliott, *Leathercoat*, 76-78.

58. Richard B. McCaslin, "Wheat Growers in the Cotton Confederacy," 534-535; Jeffery M. Roth, "Civil War Frontier Defense Challenges in Northwest Texas," *Military History of the West* 30 (2000): 31.

59. *Houston Tri-Weekly Telegraph*, November 2, 1863; *Austin Texas State Gazette*, October 28, 1863; Elliott, *Leathercoat*, 78-79.

60. *The War of the Rebellion*, Series 1, Vol. 26, 352.

61. James M. Day, ed. *Senate Journal of the Tenth Legislature, Regular Session of the State of Texas, November 3, 1863-December 16, 1863* (Austin: Texas State Library, 1964), 95-99.

62. Gammel, *Laws of Texas*, Volume 5, 677-678; *Texas Almanac, 1862* (Galveston: Galveston Weekly News Printing Office, 1863), 47; *Texas Almanac, 1864* (Galveston: Galveston Weekly News Printing Office, 1865), 15; Day, ed. *Senate Journal of the Tenth Legislature, First Called Session of the State of Texas, May 9, 1864-May 28, 1864* (Austin: Texas State Library, 1965), 8; Elliott, *Leathercoat*, 79-80.

63. For an overview of the frontier defense policy of Governor Francis R. Lubbock, Murrah's predecessor, see *Houston Tri-Weekly Telegraph*, November 9, 1863; Day, ed. *Senate Journal of the Tenth Legislature, Regular Session of the State of Texas*, 15-17 and 47-55; For a brief but thorough discussion on the conscription controversy see David P. Smith, "Conscription and Conflict on the Texas Frontier, 1863-1865," *Civil War History* 36 (1990): 250-261.

64. Day, ed. *Senate Journal of the Tenth Legislature, First Called Session of the State of Texas*, 9-18; W. Buck Yearns, ed. *The Confederate Governors* (University of Georgia Press, 1985), 206. The Frontier Regiment was officially renamed the Mounted Regiment, Texas State Troops, in early 1863 during the Lubbock Administration.

65. Day, ed. *Senate Journal of the Tenth Legislature, First Called Session of the State of Texas*, 17.

66. Day, ed. *Senate Journal of the Tenth Legislature, First Called Session of the State of Texas*, 8-17; *The War of the Rebellion*, Series 1, Vol. 34, Part 3, 739-41; Yearns, ed. *The Confederate Governors*, 211.

67. *The War of the Rebellion*, Series 1, Vol. 34, Part 3, 779-80.

68. *Ibid.*, 747-49; Yearns, ed. *The Confederate Governors*, 211; Nunn, *Ten Texans in Gray*, 129-30; For a thorough discussion of the problems which existed among frontier settlers, state officials, and the Confederate authorities, see Daniel Sutherland, ed. *Guerrillas, Unionists, and Violence on the Confederate Home Front*, 104-47.

69. *Texas Almanac, 1864*, 31-32.

70. Throckmorton to B. H. Epperson, November 3, 1864. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Shook, "Federal Occupation and Administration of Texas, 44-45.
71. Ibid.; Holbert, "The Public Career of James Webb Throckmorton," 48-50; Nunn, *Ten More Texans in Gray*, 176; McCaslin, *Tainted Breeze*, 146-47.
72. Throckmorton to B. H. Epperson, November 3, 1864. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.
73. Ibid.
74. *The War of the Rebellion*, Series 1, Vol. 34, Part 2, 1011.
75. *Texas Almanac*, 1864, 43. The First Military District of the Frontier Organization included the following counties: Wise, Parker, Cooke, Montague, Jack, Palo Pinto, Stephens, and Young.
76. Sutherland, ed. *Guerrillas, Unionists, and Violence*, 129-30; Robert C. Overfelt, "Defense of the Texas Frontier: 1861-1865" (M.A. thesis, Baylor University, 1968), 64; Nunn, *Ten More Texans in Gray*, 177.
77. Sutherland, ed. *Guerrillas, Unionists, and Violence*, 130-31. The Elm Creek raid, in Young County in October 1864, was one of the largest and most destructive raids witnessed on the Texas frontier.
78. *Texas Almanac*, 1864, 43; Nunn, *Ten More Texans in Gray*, 177.
79. J. W. Throckmorton to John Burke, February 22, 1865. (Adjutant General Correspondence) hereinafter cited as AGC, AD/TSL; Wooster, *Texas and Texans in the Civil War*, 153; Sutherland, ed. *Guerrillas, Unionists, and Violence*, 136; David P. Smith, "The Elm Creek Raid, 1864 State and Confederate Defense and Response," *Military History of the Southwest* 19 (1989): 134-35.
80. J. W. Throckmorton to John Burke, January 29, 1865. AGC/AD/TSL; Elliott, *Leathercoat*, 86-91; David P. Smith, *Frontier Defense in the Civil War: Texas' Rangers and Rebels* (College Station: Texas A&M University Press, 1992), 138
81. Throckmorton to B. H. Epperson, February 3, 1865. Throckmoroton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.
82. Ibid.
83. Throckmorton to B. H. Epperson, March 12, 1865. Throckmoroton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.

84. For Throckmorton's support of Reconstruction see Throckmorton to Josiah Crosby, March 19, 1865. Throckmoroton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.

85. Throckmorton to B. H. Epperson, April 6, 1865. Throckmoroton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; *The War of the Rebellion*, Series 1, Vol. 48, Part 2, 1266-69; Nunn, *Ten More Texans in Gray*, 177; Lynch, "J. W. Throckmorton"; Elliott, *Leathercoat*, 93-96; Holbert, "The Public Career of James Webb Throckmorton," 50-51; Smith, *Frontier Defense*, 142-43; for more on the magnitude of Indian depredations on the frontier see Overfelt, "Defense of the Texas Frontier," 76-77.

86. *The War of the Rebellion*, Series 1, Vol. 48, Part 2, 1266-80.

87. *The War of the Rebellion*, Series 1, Vol. 48, Part 2, 1317-18.

88. Ibid.; Smith, *Frontier Defense*, 143; Elliott, *Leathercoat*, 93-96.

89. Overfelt, "Defense of the Texas Frontier," 77-78.

90. *The War of the Rebellion*, Series 1, Vol. 48, Part 1, 297-99; Nunn, *Ten Texans in Gray*, 133-34; Nunn, *Ten More Texans in Gray*, 177; Elliott, *Leathercoat*, 99.

## CHAPTER VI

## TAINTED BLOOD: EARLY RECONSTRUCTION IN TEXAS, 1865-1866

The end of the Civil War brought drastic changes to the people of Texas, as they faced the challenges of reestablishing their state as a viable part of the Union. One of the most difficult issues for white Texans, especially ex-Confederates, was accepting the results of the war: The Federal government was now in charge of setting the standards for reconstructing their state. To make matters worse, President Johnson and Radical Republicans in Congress did not agree on the method of restoring the Union. The political conflict added to the confusion and misunderstanding among Texans. While the Federal government worked out its differences, ex-Confederates and former secessionists sought ways to maintain the pre-war status of their social and economic institutions.<sup>1</sup>

During the early days of Reconstruction, Throckmorton saw an opportunity to preserve white political and social dominance in North Texas. He saw an opportunity to create a new society where blacks were prevented from rising in social status and planters were prevented from dominating people in the northern region of the state. Because the

northern counties between Dallas and the Red River were primarily populated with small farmers and mechanics from the Upper South and Mid-West, cotton was relatively unimportant to the region's economy, and as a result, few freedmen resided among the area's white population. During the antebellum era, the North Texas farmers resented the planter class which dominated the eastern counties of the state and threatened to spread their influence westward. The small farmers on the frontier believed that the elite planters were over represented, under taxed, and highly subsidized by the state government. In essence, these farmers grew to hate equally the planters as well as their slaves who were symbols of their wealth and dominance in society. Therefore, it is reasonable to assume that the North Texas yeoman farmers who were ardent Unionists before and during the war could also find secession and emancipation equally unacceptable. Considering that the yeoman farmers often turned to local elites to represent them in government, prominent politicians, like Throckmorton, represented and protected this contingent of North Texas settlers.<sup>2</sup>

In order to ensure that the northern counties remained firmly under the control of white citizens, Throckmorton believed that two objectives had to be accomplished:

First, the Texas government needed to remove Native Americans from the northern frontier to the Indian Territory. Second, the state government needed to develop policies which would keep the newly freed slaves from migrating to the frontier lands. In other words, an economic system would have to be created which kept the freedmen on lands in the regions of the state where they had lived in servitude. As part of this policy, legislators would also have to deny freedmen the right to vote, especially considering that the former slaves would support Republican candidates in statewide elections. Throckmorton believed that Radical Republicans would call for greater racial equality in Texas, and thereby thwart any plans to ensure white supremacy. Throckmorton's position became clear early in the process of Reconstruction.

Scholars typically divide the Reconstruction era in Texas into three different phases: Presidential Reconstruction, which began in June 1865 and ended in March 1867; Congressional Reconstruction, from March 1867 to April 1870; and Radical Rule, which ended in 1873. Presidential Reconstruction was ushered in when General Gordon Granger entered Galveston with eighteen hundred Federal troops. He declared the Emancipation Proclamation

in effect in the state; nullified all acts passed by the Texas government after secession; and began the process of paroling soldiers of the Confederate army. Presidential Reconstruction ended on March 2, 1867, when Congress assumed control of the administration of the southern states from President Andrew Johnson. Radical Reconstruction began with the adoption of the Texas Constitution of 1869, and the election of Edmund J. Davis as governor. The military authorities officially handed over control of the state to Davis's administration on April 16, 1870. Radical Republican control of the state began to deteriorate when Texas Democrats regained control of both houses of the state legislature in the 1872 general elections.<sup>3</sup>

Following the Union's victory over the Confederacy, President Johnson established provisional governments in each of the southern states. In Texas, the president appointed Andrew Jackson Hamilton as the provisional governor of the state on June 17, 1865. The new appointee arrived in Texas at the end of the next month. Hamilton was a reasonable choice for the position as he had served in various state offices in Texas before the war and, like Throckmorton, he was a noted Unionist in the state during the secession crisis. However, unlike many of the

Unionists in the Lone Star State, Hamilton left the state in 1862 and commanded a Texas cavalry unit in the Union army. As a result, Johnson hoped that Hamilton's past would make the provisional governor acceptable to Unionist Democrats in Texas as well as Radical Republicans in the northern states.<sup>4</sup>

President Johnson, like President Lincoln before him, sought a speedy reconstruction of the southern states. As a result, his plan of reconstruction required the southern states to renounce the right of secession and to accept the abolition of slavery. However, the president, a southerner himself, was unwilling to demand that the southern states extend the right to vote to the freedmen as a requirement for readmission into the Union. Therefore, Johnson left the way open for southern lawmakers to obstruct the rights of the freed people.

In late July, Throckmorton traveled to Austin where he tried to influence the political decisions of Governor Hamilton. The North Texan hoped that political strife in Texas would not stand in the way of his state's quick readmission to the Union. Throckmorton hoped to achieve two purposes in going to the state's capital: One, he wanted Governor Hamilton to retain all county and local officials then currently holding office. Second, he wanted

Hamilton to convene the state's constitutional convention. Hamilton received Throckmorton and listened to his advice but disagreed with the North Texan's plan for readmittance to the Union.<sup>5</sup>

On August 6, Throckmorton wrote a letter to his close confidant, Benjamin Epperson, in which he expressed his concern over the political developments in Texas. He stated that Hamilton should "authorize by proclamation all the county officers elect to go on and discharge their several duties with the statement that if any county officer had rendered himself obnoxious by his bad conduct, upon the proper representation he should be turned out and another put in [his place]." Throckmorton believed that the "state could be organized in one month" if these measures were enacted. Throckmorton also stated that Hamilton did not completely agree with his assessment of the political environment in the state. The North Texan then gave his personal assessment of Hamilton's public speeches at Galveston, Houston, and Austin, which clarified the provisional governor's position that civil rights must be granted to the state's freedmen. Leathercoat stated that Hamilton "was an abolitionists & glorified in it and I fear that he is for negro suffrage & sitting on juries." Throckmorton stated that "I am for remaining under military

rule always rather than yield anything but an acknowledgment that the negro has been freed by the act of the govern't & that we recognize it as an existing fact and that we have no disposition to quarrell any more about it or any desire to reestablish slavery. . . . But I do believe we will be enabled to adopt a coercive system of labor." Additionally, Throckmorton stated "I take it that it is our policy to look out for ourselves. Certain it is I do not intend to be abolitionized nor to be the aiders or abettors in the further humiliation & degradation of our people."<sup>6</sup>

Throckmorton was clearly unsatisfied with the provisional governor and other Unionists who had gathered in Austin. As a result, he suggested to Epperson a contingency plan already mentioned and understood.

Throckmorton stated:

One thing is well worth our serious consideration-a division of the State when the convention meets, or at least the ground work for it-Western Tex with the foreign element here now & that to come will unquestionably make this section purely radical. Think of this-keep it to yourself-with a new State East of the Brazos our section will have the votes-small farms & white labor can flourish-we will have a dense population-Red River Co as much so as any of our counties-but all this aside. My dear friend I feel very much like doing one of two things-either settling quietly at home & never appearing in any public capacity-or of emigrating the first chance-I am thoroughly disgusted-wearied

& feel that I should give up all public life forever.<sup>7</sup>

With this statement, Throckmorton revealed his intentions of making all necessary attempts to preserve the whiteness of Texas, or at least the whiteness of the northern counties.

A frustrated Throckmorton decided that he had done all he could in Austin and made the long journey back home in early August. However, he had not completely given up on trying to influence the Hamilton administration. The North Texas politician wrote to the governor informing him of the current conditions on the frontier. Leathercoat stressed that the judicial districts in his region were in a state of confusion. Apparently, the people of North Texas were puzzled about changes in jurisdiction and even the times when the courts should convene. Throckmorton assured the governor that "three fourths of the community & perhaps greatly more, are really desirous of testifying their loyalty to the government—at least such was the impression made upon my mind with the people whom I met & conversed with on my way from Austin." The North Texas politician then informed Hamilton that he had received word of increased Indian depredations on the frontier. Throckmorton reported that "the Indians seem to be worse

than ever known before, and great numbers of the settlers are moving. Since [the] breaking up of the state frontier forces, & withdrawal of other troops, the Indians seem to know it, & instead of coming in and degrading as usual and then leaving, they now remain in country."

Throckmorton concluded his letter by commenting on the lawlessness in the counties on the western fringes of the frontier. He suggested that "a speedy opening of the courts is the best remedy for such evils, and I will take the liberty of suggesting that instructions from you to the judicial officers of the state [ordering them] to hold the courts as soon as jurors can be qualified will do much to restore order & quiet." Leathercoat even acknowledged the break down of law and order in his home county, stating that "every few days there is a row & sometimes a shooting scrape and as there is no person to issue a warrant of arrest this sort of gentry have their own way. Besides [people] are refusing to pay their rents & the parties concerned are powerless to enforce payment." Throckmorton made it clear that the circumstances on the northern frontier could be improved if the Hamilton administration would enact practical solutions to the northern region's existing problems.<sup>8</sup>

In accordance with President Johnson's plan of

Reconstruction, Governor Hamilton called on the counties in his state to elect delegates to a constitutional convention which was slated to convene at Austin in February 1866. The election of delegates took place on January 8, 1866. Voter turnout was lacking due to inclement weather, voter apathy, and the fact that only those individuals who qualified according to President Johnson's general amnesty proclamation, or had received an official pardon from the president, could vote in the elections. The increasingly embittered Throckmorton, however, claimed that the voters were muzzled and that the whole election was a farce. He argued that many North Texans believed that the elected delegates would simply travel to Austin and confirm the edicts of their conquerors. Regardless of his personal convictions, the people of Grayson and Collin counties elected Throckmorton as their representative to the constitutional convention. He immediately left home to join other delegates as they gathered in Austin for the opening of the convention in early February.<sup>9</sup>

Texans in other counties also chose to send former anti-secession men to the convention. Prominent Unionist delegates included Isaiah A. Paschal, Edward Degener, John Hancock, Edmund J. Davis, Xenophon B. Saunders, Albert H. Latimer, Robert H. Taylor, and James W. Flanagan. These

men typically supported a moderate position concerning the reconstruction of Texas. Their efforts at the convention, however, was challenged by a strong contingent of former secessionists, many of whom were elected to the convention despite the fact that they were not covered under the Federal government's general amnesty policy and had not yet received presidential pardons. The most prominent of this group of secessionists was Oran M. Roberts, who in 1861 had been president of the secession convention in Texas. Other well-known secessionists at the convention included Hardin R. Runnels, John Ireland, Dewitt C. Giddings, Reuben A. Reeves, James W. Henderson, John W. Whitfield, and Thomas N. Waul. The former secessionists were reactionaries, because they tried to preserve as much of the pre-war status of the state as possible, especially concerning the status of the freedmen.<sup>10</sup> Despite the fact that the *Dallas Herald* called the convention members "some of the ablest and far-seeing men in the State," the presence of ex-Confederates at the convention led many loyal Unionists to question the motives and legitimacy of the convention.<sup>11</sup>

On August 11, 1865, John H. Reagan, a prominent state politician during the 1850s and a cabinet member in the Confederate government during the war, sent Texans a prophetic warning from his Federal prison cell at Fort

Warren in Boston, Massachusetts. Like other high-ranking officials in the Confederate government who were captured during the final days of the war, Reagan was placed in a northern prison where he was indirectly afforded the opportunity to learn more about northern plans for reconstructing the South. However, unlike other southern captives, Reagan took it upon himself to share his newly acquired knowledge with the citizens of his home state. In a widely published letter, the politico attempted to persuade Texans to "adopt a course which would save them from military government and from universal negro suffrage." First, Reagan reminded his readers that they were part of a conquered nation and that they should accept the terms handed down by their victors. He noted that "a refusal to accede these conditions would only result in a prolongation of the time during which you will be deprived of the civil government of your choice, and will continue [to be] subject to military rule." Next, Reagan suggested that Texans should recognize the supreme authority of the United States government and its right to protect itself against secession and to accept the abolition of slavery as well as the rights of the freedmen. Finally, Reagan revealed that the more radical members of Congress considered it necessary for the ex-Confederate states to

extend full civil rights to the freedmen. Before any southern state could reassume its former position in the Union, its legislators would have to grant the freedmen suffrage rights and equal access to the courts. Nevertheless, the Texas captive also suggested that state officials could limit black suffrage by establishing carefully constructed voting requirements, such as a literacy test, residency statutes, and tax-payer qualifications. While some politicians heeded Reagan's advice, most Texans ignored his suggestions.<sup>12</sup>

Throckmorton knew that Hamilton did not trust him to take part in reconstructing the state. The provisional governor based his opinion of the North Texan on two primary issues: First, he had failed to rejoice in the defeat of the Confederacy. Second, he received support from the secessionists in his election to the convention. Evidence seems to suggest that Hamilton had reason for concern. In a letter to Epperson, Throckmorton shared his thoughts on the major issues that the delegates would address in the constitutional convention. Challenging Hamilton's charges against him, he rhetorically asked, "What excuse have these gentry for such insinuation? None on earth, except, I did not shout hosannas to our defeat & ignominy, and because some who were secessionists have

expressed themselves favorably to me."<sup>13</sup>

More important, Throckmorton discussed ways to obstruct Federal Reconstruction policies. He stated that "if our people had moral courage, if our merchants were patriots instead of greedy speculators we could tame their radicalism and insolence." The North Texan continued, saying that "we could sell & buy from Europe, or not sell or buy at all. We had better do this until they [Federal officials] show a disposition to treat us as countrymen & friends." Without considering that he was a rebel just a few months before, Throckmorton stated that "if I had my way not one dollar from the South or one pound of cotton or tobacco or anything else should go north, nor should one Yankee land here until we were treated as a Christian people should be treated." However, he added that "as a matter course when I speak of Yankees, I do mean not to include all, because of these & of the foreigners who come amongst us there are men who are an ornament to any country or people." Obviously, this seemed to be a reference to men like President Andrew Johnson who supported a conservative approach to Reconstruction.<sup>14</sup>

Apparently, the number of ornamental Northerners and foreigners were few in Texas, because he venomously announced that "I wish to see no yankee in my neighborhood.

I desire no foreigner of any class, and so help me God, I would go home & spend all the days of my life, teach my children honest industry, and live within the earnings of our own circle than to see these cheating canting hypocrites, or foreign scum among us." Part of the reason Throckmorton held such disdain for northerners and foreigners stemmed from his belief that the New England states had been "contaminated with fashion & folly" and were "carried away by fast living" and "luxuries." Regarding northern society, he stated that "foreign immigration, greediness for gain, an inordinate desire to grow rich fast, crowded towns & cities, has enervated her people. They preserve but two distinctive elements of their original character, yes three, one puritanical psalm singing hypocrisy, chicanery, & a desire to get rich off of other people's labor." Fearing that the South would follow a similar path of decline, Throckmorton claimed that if "psalm singing, lying, swindling yankees & sour krouts & blackguard Irish" infiltrated the southern states, a few of us may grow rich, but as a "whole we become corrupted with fast times. With follies & dissipations and luxuries, our children so grow up, they catch the spirit of speculation & fine & fast living and finally they marry these d\_m\_d negro worshipping skunks and southern blood is tainted & spoiled

forever-I want none of it."<sup>15</sup> While Throckmorton championed the preservation of white society, it seemed evident that not all whites were equal. White native southerners were clearly deemed superior.

In addition, Throckmorton discussed an issue which was slated for debate at the constitutional convention—the right of African Americans to testify in court cases. The North Texan stated that he had “weighed in [his] own mind all the reasons pro & con, and I am clearly of the opinion it is wrong except” in cases involving their race which “is just because otherwise laws for their protection would be a farce.” He further stated that “it is wrong because the hell hounds of radicalism demand it of us a right [that] many of their own free states do not allow, and wrong, because if we yield, [it will allow freedmen] to sit on juries, suffrage [rights], and finally to perfect social & political equality.” While Throckmorton was willing to comply with the wishes of the President, he stated that “upon these questions which the Constitution gives the states the right to determine, I am for standing by them.” He then concluded by announcing that “if they have a sufficient radical majority to keep us from our proper place in the Government, why, we can stay out, and they may be d\_m\_d.” Thus, Throckmorton’s biased views were apparent

prior to the convening of the state's constitutional convention in Austin.<sup>16</sup>

The convention assembled on February 7, 1866 with 62 of the 89 elected delegates present. James H. Bell took the chair on the motion of Throckmorton, called roll, and verified the credentials of the delegates. It soon became apparent that the members were divided into two main groups: Unionists and Secessionists. The Unionists were composed of Republican Unionists, commonly referred to as radicals, and conservative Unionists, referred to as conservatives. The faction of ex-Confederates and secessionists was also divided into two camps: extremists and moderates. On the second day of the convention, with James W. Henderson of Harris County presiding as president *pro tem*, the delegates nominated several men to preside over convention: James W. Throckmorton, Hardin R. Runnels, Robert H. Taylor, and Albert H. Latimer. Because the members considered their nomination too divisive, Runnels and Taylor were removed from consideration. When the delegates voted, Throckmorton defeated Latimer by a vote of 41 to 24. He received support of the more moderate secessionist and Unionist members. However, because secessionists favored him, many Republican Unionists viewed Throckmorton as unsound on the question of Reconstruction.

Remembering that Throckmorton was a staunch Unionists before the Civil War, many Unionists believed that Throckmorton had betrayed his earlier principles. But, whatever his earlier principles may have been, he now believed that he was one of the chief defenders of President Johnson's Reconstruction policies.<sup>17</sup>

If newspaper accounts were reflective of popular opinion, it appears that Texans were pleased with Throckmorton's election as president of the convention. The *Houston Telegraph* wrote "Hon. J. W. Throckmorton, President of the Convention, stands confessedly in the front rank of public men in this State. He is a man of great judgment and [has a] thorough appreciation of human nature."<sup>18</sup> The *Tyler Journal* reported that "No better selection could have been made and all parties ought to be satisfied. . . . He is a fine speaker, in every respect a man of ability, and will grace any position that his State may honor him with."<sup>19</sup> Even outside the state newspapers were singing his praise: The *New Orleans Picayune* stated that "Mr. Throckmorton is one of the most talented, influential and respected citizens of North Eastern Texas. . . . As soon as the war ended, he exerted himself to calm the troubled waters and to restore harmony and peace."<sup>20</sup> This widespread praise of Throckmorton's

reputation among the general public undoubtedly filled him with a false sense of security, which might have contributed to his eventual political downfall.

On February 10, Governor Hamilton spoke to the members of the convention. In his speech, Hamilton stressed that "the most important questions . . . grow out of the emancipation of those who were formerly in a state of bondage, and who still remain in our midst." He informed the convention that "our former slaves are declared by the Constitution of the United States to be free . . . let us not deceive ourselves by the supposition that the nation will fail to make that declaration good, or to redeem, fully, the high obligations which it has assumed in this behalf, before the civilized world." The provisional governor concluded by stating that "there could not be devised a more successful mode of procrastinating our return to our original position in the Union, than to deny to the freedmen, in our midst, those civil rights and privileges, without which, to call them free would be only to keep the word of promise to the ear, and break it to the hope."<sup>21</sup>

As the presiding officer of the convention, Throckmorton also addressed the assembled delegates, but his inaugural address was more focused on bringing the

state back into the Union than with ensuring civil rights to the freedmen. Throckmorton reminded the members that they "had passed through a period in the history of our country momentous in its character, and from which a new era will be inaugurated." The North Texan continued by stating that "as the representatives of the people of Texas we have been intrusted, at a critical moment with her most sacred interests. We should act with the purest patriotism, and, in my humble judgment, with a view to the future-uninfluenced by past predilections or opinions, and uncontaminated by passion or prejudice." Finally, the presiding officer called on the delegates to "strengthen the hands of the Executive of the nation, and by a ready and willing compliance with his suggestions, show to our Northern brethren that we are, in good faith, disposed to renew our allegiance to the general Government." In essence, Throckmorton informed the convention that he favored the speedy reconstruction of Texas, according to the policies of Presidential Reconstruction. However, he made no mention of providing civil rights to black Texans.<sup>22</sup>

At the conclusion of Throckmorton's address, the delegates began debating several issues: The most important of these centered on whether or not the delegates should take the loyalty oath and if they should declare

secession null and void from its beginning; whether or not the state laws of Texas passed during the years of the rebellion should be claimed null and void (an issue commonly referred to as *ab initio*); whether or not the debt of Texas should be rendered invalid; and whether or not the legislature should be prohibited the right to pay wartime debts. Additionally, the delegates had to decide if they were going to ratify the Thirteenth Amendment, and they had to define the future status of the freedmen.<sup>23</sup>

On the first question, delegate Isaiah A. Paschal introduced a resolution that all members should take the "constitutional" oath. After much debate and the introduction of alternate resolutions, John Hancock of Travis County, offered an amendment to Paschal's proposal. Hancock's proposed amendment struck out "constitutional" and substituted "amnesty." Throckmorton believed that the Federal government would more likely accept Paschal's original resolution. He knew that if the convention refused to take the constitutional oath, northerners would perceive this as an act of defiance and even disloyalty. Throckmorton's view reflected the general mood of the delegates; and as a result, Paschal reintroduced his resolution which passed with a majority vote.<sup>24</sup>

In deciding whether or not the convention should

declare the ordinance of secession null and void and thus accepting that the Constitution denied the right of a state to withdraw from the Union, the delegates declared the state's Ordinance of Secession void. However, the members of the convention did not agree on the *ab initio* issue. After much debate, the delegates decided that all laws not directly in contrast to the U. S. Constitution would remain intact. Throckmorton supported the idea that the secession ordinance was null and void, and he agreed with the convention's decision on *ab initio*. One of the primary reasons he supported maintaining the state's laws centered on his support of railroad development in the state. If *ab initio* had passed, it would have voided state legislation concerning railroad charters and funding, essentially delaying railroad development in Texas.<sup>25</sup>

The status of the freedmen was the most controversial of the issues before the convention. The members agreed that the former slaves were freed by the Thirteenth Amendment and that by taking the oath in support of the Constitution, they had indirectly accepted that slavery was abolished in the United States. However, the delegates were divided on the ratification of the Thirteenth Amendment. Throckmorton was opposed to the forced ratification of the amendment, viewing it as an act of

coercion by the federal government. Following his lead, the convention did not formally ratify the Thirteenth Amendment; rather, the delegates claimed that taking the Constitutional oath was sufficient enough. However, the delegates did suggest that the next session of the legislature should take up the matter of ratification.<sup>26</sup>

The delegates were also divided on the question of allowing the freedmen to testify in the courts. The majority of the delegates favored limiting the freedmen's testimony to civil and criminal cases involving other blacks. However, a strong faction of the delegates supported giving blacks the right to testify in all cases on an equal basis with whites. Throckmorton believed that the freedmen's testimony should be limited to cases involving their own race, and he stood unswerving on allowing them anything more.<sup>27</sup> Throckmorton eventually compromised on this issue, offering to extend to the legislature the power to authorize testimony in all cases when it saw fit. Apparently, Throckmorton did not believe that the freedmen were mentally capable of participating in the political process. In addition, Throckmorton objected to black testimony because he was afraid that it eventually lead to complete social and political equality with whites, especially in regards to suffrage rights.<sup>28</sup>

Throckmorton was ill during the final days of the convention and seemed to have little to do with its official proceedings. In his absence, delegates elected David C. Dickson president *pro tem*. On the last day of the convention, the delegates passed an ordinance for a possible division of the state. It was rumored that Throckmorton was the main force behind this move to divide the state into several new states. It seems that this charge was overstated. According to a report in the *Dallas Herald*, William Jones was the originator of the resolution which called for the dissection of the state. Additionally, the newspaper stated that Throckmorton "only wanted the resolution referred to a committee."<sup>29</sup> However, as previously mentioned, Throckmorton had entertained the same idea prior to the convention, believing that North Texas could become an independent state. If the northern counties had become a state, it would have been easier to secure white supremacy in the region. Considering that this was one of Throckmorton's political objectives, it is probable that he strongly favored Jones' resolution.

The stage was now set to elect a new government for Texas. The delegates at constitutional convention set June 25, 1866, as the date for state elections, and August 6, as the date when the Eleventh Texas legislature would convene.

The quick action of the convention was pleasing to most conservatives, but there were others who believed that Texas should refuse to send members to Congress as long as Texans were required to pass the test oath, or loyalty oath, where citizens pledge their loyalty to the United States government. Throckmorton was part of this group, and prior to the convention, he expressed that he was not in favor of sending men to Congress if the Federal government did receive the southern states back into the Union as equals in the Union.<sup>30</sup> Historian Claude Elliott states:

Though he felt that the honor of Texas almost demanded a refusal to send men to Congress under such circumstances, he was not willing to advocate such a radical policy. In his heart he was one of the bitterest against the radical group and the so-called designated "damned Yankees" in the convention or in Texas; but his good sense put him in a compromising attitude, and he never went as far as he would have gone had it been for his desire to create harmony and to make political friends in both parties.<sup>31</sup>

Throckmorton's bitterness toward the North was further evident in his statements to Epperson regarding immigration. Epperson, who promoted the building of railroads in Texas, was interested in increasing immigration from the North. No record exists of Throckmorton's opposition to immigration in the

constitutional convention, but he objected to any act designed to encourage it. Throckmorton, however, was in the minority, and he did not reveal his feelings on the matter to the other delegates in the convention. The delegates in the convention decided to leave the matter to the state legislature once it convened.<sup>32</sup>

The convention adjourned on April 2. The meeting had been more harmonious than many expected, even though many issues were hotly debated. Nevertheless, party lines were clearly evident during the course of the convention, and there was much contempt on all sides.<sup>33</sup> Throckmorton found it somewhat disturbing that some of his earlier political allies seemed to favor the radical position. Of James H. Bell, he stated "in my heart of hearts I have grieved that one so gifted should have suffered himself to be so easily molded & controlled by one [Hamilton], who, through a long career has shown himself so unstable, and such a unrelenting enemy to the land that gave him birth." He made the same observations about Latimer, calling him a "radical."<sup>34</sup> Leathercoat then claimed that "these gentlemen, who denounce everybody else as unsound and disloyal, shirk the only great question before the American people. It is plain why they do so: They are themselves for [Thaddeus] Stevens & [Charles] Sumner's policy. They

hate the President, & every now & then some of them in the bitterness of their hearts leak it out." Generally speaking, the North Texan characterized the radicals in the convention as individuals who "drew their swords against their country; who led armies to sack & pillage their own state; who rejoiced in the ruin of their native & adopted land; who shed no tears of sympathy over the utter degradation of their fallen Countryman; who rejoiced in the deaths of thousands of their fellow citizens; [and] who laugh at the broken hearts & of the orphans & daughters & mothers of their own land."<sup>35</sup> It seems evident that the Civil War left Throckmorton bitter. In his resentment of the circumstances confronting Texas in the post-war period, he blamed the extremists in both the North and South for starting the war.

While Throckmorton showed complete disdain for the radicals, he noted with surprise that the secessionists had been willing to work so closely with the conservative delegates. He stated that before the convention he "did not foresee that the Secession party would lay down their prejudice and act with so much discretion, and I am glad to say, disinterestedness & patriotism." He further stated that "the secession men said they desired to support conservative men both to convince the [General] Government

of their earnest desire for an early restoration as well as loyalty, and to show the masses at home that we should forget, forgive, harmonize and work like brothers together for the general good."<sup>36</sup> Believing that ex-Confederates were now willing to accept the consequences of the South's defeat and that Radical Republicans wanted to punish the southern states for their rebellious actions, it is not surprising that Throckmorton aligned himself against those who supported the radicals' agenda. The factional differences noted by Throckmorton would ultimately become a pervasive part of the political landscape in the upcoming state elections.

During the closing days of the constitutional convention, members met in various caucuses to nominate candidates for the forthcoming gubernatorial election. Two weeks prior to adjournment, a caucus of radicals nominated A. J. Hamilton for governor. However, Hamilton who was worn down by the war and his efforts as provisional governor, declined the radical's offer. After Hamilton refused to run on the radical ticket, the radicals nominated Elisha M. Pease as their gubernatorial candidate, and they chose Benjamin Epperson as their candidate for lieutenant governor. Meanwhile, a conservative caucus chose Throckmorton as their candidate for governor and

George W. Jones of Bastrop County for lieutenant governor: Both men supported Presidential Reconstruction and opposed black suffrage. Though reluctant at first, Throckmorton agreed to accept the nomination, but he realized that the conservative movement which he was leading was in danger of breaking apart if Epperson, a noted conservative, remained on the Pease ticket. The two men corresponded with one another regarding the matter, and Throckmorton eventually persuaded Epperson to withdraw his name from the Pease ticket. For his friend's loyalty, Throckmorton promised that if he won the upcoming gubernatorial election, he would use his influence to assure Epperson's election to the United States Senate. Radicals quickly replaced Epperson with Livingston Lindsay.<sup>37</sup>

The campaign for governor was characterized by strong campaign rhetoric on both sides. Radicals denounced the work of the Constitutional Convention claiming that the secessionists and conservatives had conspired to preserve their prewar status. Also, they suggested that if Throckmorton was elected governor, he would immediately forget his Union principles just as he had done in 1861 after the state had seceded from the Union. Additionally, Republican Unionists correctly charged that Throckmorton would be an impediment to restoring the state to the Union

because he opposed Congressional Republicans' suggestion that the southern states give the freedmen the right to vote. However, they could not make the most of this issue because E. M. Pease also opposed universal suffrage for black Texans. At best, Pease was only willing to concede the vote to freedmen who could read and write.<sup>38</sup>

Throckmorton and his supporters countered the radical's arguments by reaffirming that he supported President Johnson's plan of Reconstruction and that he would work diligently for the speedy restoration of the state to the Union. The strong show of support for Presidential Reconstruction resulted primarily from the fact that President Johnson opposed giving suffrage to the freedmen. Throckmorton reminded the people of Texas that northern radicals and their supporters in Texas favored the social and political equality of blacks with whites and that they called for an amendment to the U. S. Constitution as to disenfranchise white southerners and enfranchise the freedmen. Throckmorton also claimed that the radicals wanted to centralize the Federal government's power over the states, leaving the South at the mercy of politicians in Washington, D.C. Throckmorton's rhetoric resonated with the majority of white Texans who were opposed to granting blacks anything more than their freedom: Throckmorton was

elected governor by a landslide majority of 48,631 out of 60,682 ballots cast. The North Texas politician now prepared to fulfill his agenda of protecting the frontier and preserving white dominance in the state.<sup>39</sup>

On August 6, the Eleventh Legislature of Texas assembled at Austin and declared Throckmorton and Jones the duly elected governor and lieutenant governor of the state. While no instructions had been received from Washington concerning the new government, the state legislature made arrangements for the inauguration of the newly elected administration. On August 9, in front of both houses of the Texas legislature and a large crowd of citizens, Thomas H. Duval, Judge of the United States District Court, administered the oath of office to the new governor.<sup>40</sup>

Throckmorton's inaugural address presented the legislature with a guideline for rebuilding the state and for solidifying its restoration in the Union. The governor's speech painted a somewhat biased portrait of the current conditions in the state. He stated:

At a time like the present, when we have just emerged from the most terrible conflict known to modern times, with homes made dreary and desolate by the heavy hand of war; the people impoverished, and groaning under public and private debts; the great industrial energies of the country sadly depressed; occupying in some respects the position of a State of the Federal Union, and in others,

the condition of a conquered province, exercising only such privileges as the conqueror in his wisdom and mercy may allow; the loyalty of the people to the General Government doubted; their integrity questioned; their holiest aspirations for peace and restoration disbelieved, maligned and traduced, with a constant misapprehension of their most innocent actions and intentions; with a frontier many hundred miles extent, being desolated by a murderous and powerful enemy, our devoted frontiersmen filling bloody graves, their property given to the flames, or carried off as booty, their little ones murdered, and their wives and daughters carried into a captivity more terrible than death, . . . unprotected by the government we support, with troops quartered in the interior, where there is peace and quiet; unwilling to send armed citizens to defend the suffering border, for fear of arousing unjust suspicious as to the motive . . . under such circumstances, with such surroundings, when so much depends upon prudence, and so great an amount of patriotism and intelligence is required, I feel sadly oppressed with difficulties which lie before me.<sup>41</sup>

After noting that the state had renewed its relations with the Federal government and had recognized the end of slavery, Throckmorton pledged his support to help the freedmen. The governor stated that he "would endeavor to recommend and aid in carrying out such measures as [would] insure exact justice to all classes of men, of every political faith, religious creed, race and color." The governor announced that the freedmen would receive the protection "of all the rights of person and property guaranteed them by our Amended Constitution." Throckmorton

promised that black Texans would soon be convinced that white Texans were their "truest friends." Obviously, this was a claim that proved more rhetoric than reality.<sup>42</sup>

Throckmorton also reflected on a variety of other issues confronting the state, including the dire conditions of the frontier, rampant crime, the fair collection of taxes, internal improvements, a reorganization of the public school system, the establishment of a state university, and the charitable care of "afflicted and unfortunate portion" of the population, referring in particular to the mentally ill. At no point did Throckmorton clarify that African Americans would be included in these improvements.<sup>43</sup> The governor's failure to provide equitable treatment to the freedmen and to their white allies would soon prove costly: In less than a year, he would be removed from the office.

Two days after Throckmorton's inauguration, President Johnson sent a letter that officially recognized the North Texan as the governor of Texas. The same day A. J. Hamilton received a dispatch relieving him of his duties as provisional governor. Throckmorton's administration immediately took possession of the state's official papers and property and assumed the duties of governance. On August 20, President Johnson issued a proclamation

declaring the insurrection in Texas finished. Throckmorton interpreted the president's proclamation to mean that civil authority was once again superior to military rule in the state and that Texas had been readmitted to the Union.<sup>44</sup>

On August 21, the legislature convened in joint session to elect U. S. senators. The legislators' actions foreshadowed future problems which would plague the state until the end of Reconstruction: Texas officials found it extremely difficult to keep the peace between Unionists and ex-Confederates. While the legislature considered eight or ten individuals for the Senate position, four men were clearly in the running for the position: Oran M. Roberts, David G. Burnet, Benjamin Epperson, and John Hancock. In accordance with an agreement among the legislators, one of the new senators would be chosen from eastern Texas and the other from the west. The candidates from the western district included Burnet, Hancock, and former governor, E. M. Pease. Burnet was easily elected on the first ballot. Roberts and Epperson along with five other candidates attempted to secure the eastern district seat. Despite Governor Throckmorton's promised support for his friend Epperson, the ex-Confederates were successful in securing the election of Roberts after thirteen ballots. Thus, the Texas legislature chose to send two former

secessionists to Washington, a decision that later led Radical Republicans to refuse the Texans their seats. Additionally, Congress refused to allow the elected representatives from Texas, George W. Chilton, Epperson, and A. M. Branch, to take their seats in the House of Representatives. The Texas senators and representatives remained in Washington for a short time before deciding to return to Texas. Only Epperson stayed in Washington, keeping Throckmorton abreast of events in the nation's capitol.<sup>45</sup>

The state legislature took other actions which created distrust among northern Republicans and proved detrimental to Throckmorton's administration. Believing that military defeat and universal emancipation of the slaves had already caused Texans enough humiliation, the legislators refused to ratify the Thirteenth and Fourteenth amendments to the Constitution of the United States. Additionally, in November 1866, the legislators passed a series of laws, known as Black Codes, which were designed to restrict the rights of the freedmen in areas such as interracial marriage, apprenticeships, and contract labor. The codes also called for segregation in public schools and on railroads. Furthermore the legislature reenforced the idea that the homestead laws only applied to white people, and

passed laws regulating vagrancy and convict leasing. Finally, the lawmakers afforded the former slaves limited civil rights: They could make contracts, sue and be sued in court, hold personal and real property, make wills, and have personal security, but they were denied the right to vote, hold political office, serve on juries, or give testimony in court except in cases involving other blacks. In essence, the Black Codes reduced black Texans to a position of semi-slavery.<sup>46</sup>

Throckmorton's approval of the legislature's actions placed him at odds with both radical members of the U. S. Congress and Federal military authorities in charge of reconstructing the state. Two issues were especially problematic: the rejection of the Fourteenth Amendment and the passage of the Black Codes.<sup>47</sup> The Black Codes failed to meet the governor's recommendation that the legislature pass "laws to secure the protection of [the freedmen's] person and property." As a result, Governor Throckmorton was unable to convince military authorities of the state's good intentions toward black Texans, and therefore, Texas' chief executive failed to achieve the removal of "all military forces and the Freedmen's Bureau" from the "interior of the state."<sup>48</sup> General Sheridan considered the Black Codes as "oppressive legislation" which developed a

"policy of gross injustice toward the colored people on the part of the courts."<sup>49</sup> Regarding the rejection of the Fourteenth Amendment, the legislators simply followed the governor's recommendation. On August 20, Throckmorton recommended the "rejection of the proposed fourteenth article of the United States Constitution, that was passed by the late Radical Congress. It is impolitic, unwise and unjust."<sup>50</sup> This statement reinforced southerners' commonly held idea that the freedmen were socially and politically inferior to whites. Under these circumstances, the military authorities felt that the state's freedmen faced serious danger with Throckmorton in power.

Even though the legislature did little to help strengthen the relationship between the state and the Federal government, Governor Throckmorton's dealings with Federal troops stationed in Texas between August 1866 and April 1867 provides better insights into the degree of cooperation which prevailed between the state and national authorities. The governor's personal confrontation with individual military commanders resulted from two major problems: First, the state confronted an increasing wave of lawlessness caused by the refusal of white Texans to accept emancipation of the slaves. Second, Throckmorton, though a Unionists prior to the war, had no intention of

implementing political, social, or economic reforms that were slowly gaining support in the U. S. Congress between early 1866 and mid-1867.<sup>51</sup> The governor made his views of Reconstruction clear in a letter to James J. Diamond, a prominent secessionist in Grayson County. He wrote:

I hold that it is the duty of every patriot to contribute his best exertions in behalf of the country. Heretofore at different periods of the country's history, the purest devotion to principle have been largely in demand to save American institutions and Republican Government from destruction. But at no former period has the danger been so imminent or menacing. . . . The stars and bars have gone down, and will perhaps only live in history. But that which was failed to be accomplished by war, will be fought for at the ballot box. Although many seem not to realize the magnitude of the great contest now going on, yet no great length of time, in my judgement, will elapse before it is determined by the American people whether their government shall be perpetuated as it was intended to be by its founders, or shall become a consolidated and centralized despotism, more terrible and oppressive than the most absolute monarchy. . . . The experience of the past will arouse statesmen and patriots to renewed exertions, and the ship of state will be headed again on the old Republican track, and the respective land marks of National authority and States rights will be remarked and more permanently established. To accomplish this victory the South is powerless, except so far as she may contribute, by prudence and wisdom . . . when I speak of prudence, I do not mean to guard against useless expressions that can avail nothing, or acts that are calculated to pull down those who are storming the beach that we may be saved. . . . Such are the objects which our Northern friends are now battling to achieve. Shall we aid them by reasonable conduct, or weaken them by folly?<sup>52</sup>

The governor apparently felt secure under Johnson's tutelage to affect minimal reforms and to strongly deny the military's role in enacting the adjustments demanded by Congress. Perhaps, if he had followed the advice that he wrote to Diamond, he would have served out his term as governor. Unfortunately for him, he chose a different path which placed him on a collision course with the Federal authorities in charge of reconstructing the state.

## Endnotes

1. Owens, "Presidential Reconstruction in Texas," 158. For a detailed examination of the differences between President Johnson and Congress over the issues of Reconstruction see Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, Publishers, 1988), 177-261.
2. Smallwood, *Time of Hope, Time of Despair*, 30-31; William L. Richter, "The Army and the Negro During Texas Reconstruction, 1865-1870," *East Texas Historical Journal* 10 (Spring 1972): 11; Chapin, "Presidential Reconstruction in Texas," 5-6. Richter points out that many white Texans were determined to keep the freedmen in an inferior social and economic position.
3. Randolph B. Campbell, *Grass-Roots reconstruction in Texas, 1865-1880* (Baton Rouge: Louisiana State University Press, 1997), 7-26; Patsy McDonald Spaw, *The Texas Senate: Civil War to the Eve of Reform, 1861-1889* (College Station: Texas A&M University, 1999), 54.
4. John Waller, *Colossal Hamilton of Texas: A Biography of Andrew Jackson Hamilton* (El Paso: Texas Western Press, 1968), 57-58; P. H. Sheridan, *Personal Memoirs of P. H. Sheridan*, Vol. II. (New York: Charles L. Webster & Company, 1888), 229-230; Hendrickson, *The Chief Executives of Texas*, 85; Elliott, *Leathercoat*, 100.
5. Waller, *Colossal Hamilton of Texas*, 65-66; Baggett, "The Rise and Fall of the Texas Radicals," 42; Elliott, *Leathercoat*, 101-02.
6. Letter from Throckmorton to B. H. Epperson, August 6, 1865. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Chapin, "Presidential Reconstruction in Texas," 31-32; Owens, "Presidential Reconstruction in Texas," 118; McCaslin, *Tainted Breeze*, 162
7. Letter from Throckmorton to B. H. Epperson, August 6, 1865. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; McCaslin, *Tainted Breeze*, 161-62; Moneyhon, *Republicanism in Reconstruction Texas*, 28-29;
8. Letter from Throckmorton to A. J. Hamilton. Records of A. J. Hamilton. TOG/AD/TSL; Ramsdell, *Reconstruction in Texas*, 83-84.
9. *Dallas Herald*, January 13 and 20, 1866; Chapin, "Presidential Reconstruction in Texas," 47-48; Owens, "Presidential Reconstruction in Texas," 123; Massey, "A History of Collin County," 74; Charles Ramsdell, "Presidential Reconstruction in Texas," *Southwestern Historical Quarterly* 11 (April 1908): 300-317; Elliott, *Leathercoat*, 103-04.
10. Ramsdell, *Reconstruction in Texas*, 89.
11. *Dallas Herald*, January 27, 1866.

12. John H. Reagan, *Memoirs*, 286-295. The letter is reprinted in Reagan's memoirs as Appendix C.

13. Throckmorton to B. H. Epperson, January 21, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1825-1876. CAH; Elliott, *Leathercoat*, 104-05.

14. Throckmorton to B. H. Epperson, January 21, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1825-1876. CAH.

15. Throckmorton to B. H. Epperson, January 21, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1825-1876. CAH.

16. Throckmorton to B. H. Epperson, January 21, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1825-1876. CAH.

17. *Dallas Herald*, February 17, 1866; Moneyhon, *Republicanism in Reconstruction Texas*, 25 and 34; Owens, "Presidential Reconstruction in Texas," 125; Charles Hale, "Political Leadership in Texas During Reconstruction," (M.A. thesis, Lamar State College of Technology, 1965), 11; Ramsdell, *Reconstruction in Texas*, 89-90; Chapin, "Presidential Reconstruction in Texas," 57-58; Holbert, "The Public Career of James Webb Throckmorton," 55-56; Strambaugh and Strambaugh, *Collin County*, 207; Elliott, *Leathercoat*, 105-06.

18. *Houston Telegraph* quoted in *Dallas Herald*, March 3, 1866.

19. *Tyler Journal* quoted in *Dallas Herald*, March 3, 1866.

20. *New Orleans Picayune* quoted in *Dallas Herald*, March 3, 1866.

21. Message of Governor A. J. Hamilton to the Texas State Convention, February 10, 1866. Broadside Collection, 1866-1867. CAH.

22. *Dallas Herald*, February 24, 1866.

23. Good, "John Henninger Reagan," 209; Elliott, *Leathercoat*, 105-08.

24. *Dallas Herald*, February 17, 1866; Elliott, *Leathercoat*, 108-09.

25. Brockman, "Railroads, Radicals, and Democrats," 11-13; Fowler, "The Origins of the Texas Railroad Commission," 24; Elliott, *Leathercoat*, 110.

26. *Ibid.*, 110-11.

27. *Ibid.*, 111-12.

28. *Dallas Herald*, March 24, 1866; Ronald Norman Gray, "Edmund J. Davis: Radical Republican and Reconstruction Governor of Texas," (Ph.D., diss.: Texas Tech University, 1976), 88; Elliott, *Leathercoat*, 112-13.
29. *Dallas Herald*, March 10, 1866; Elliott, *Leathercoat*, 113.
30. Chapin, "Presidential Reconstruction in Texas," 84; Elliott, *Leathercoat*, 114.
31. *Ibid.*, 114.
32. *Ibid.*, 115-16.
33. *Ibid.*, 116.
34. Throckmorton to Epperson, April 17, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.
35. Throckmorton to Epperson, April 17, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.
36. Throckmorton to Epperson, April 17, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.
37. Throckmorton to Epperson, April 25, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Throckmorton to Epperson, April 17, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; *Dallas Herald*, April, 14, 1866, May 5, 1866, May 19, 1866, May 26, 1866; Good, "John Henninger Reagan," 209; Moneyhon, *Republicanism in Reconstruction Texas*, 44; Owens, "Presidential Reconstruction in Texas," 131; Nunn, *Ten More Texans in Gray*, 179; Ramsdell, *Reconstruction in Texas*, 108-09; Chapin, "Presidential Reconstruction in Texas," 84-89; Holbert, "The Public Career of James Webb Throckmorton," 65-66; Gray, "Edmund J. Davis," 94; Elliott, *Leathercoat*, 119-25.
38. Baggett, "The Rise and Fall of the Texas Radicals," 51-52; Owens, "Presidential Reconstruction in Texas," 134; Ramsdell, *Reconstruction in Texas*, 111; Smallwood, *Time of Hope, Time of Despair*, 130; Baum, *The Shattering of Texas Unionism*, 145-46; Holbert, "The Public Career of James Webb Throckmorton," 75-77; Elliott, *Leathercoat*, 125-29.
39. Throckmorton to Epperson, May 30, 1866. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH.; *Dallas Herald*, June 16, 1866; Donald G. Nieman, "Andrew Johnson, the Freedmen's Bureau, and the Problem of Equal Rights, 1865-1866," *Journal of Southern History* 44 (August 1978): 399-401; Richard Moore, "Radical Reconstruction: The Texas Choice," *East Texas Historical Journal* 16 (Spring 1978): 21; Moneyhon, *Republicanism in Reconstruction*

Texas, 44-49; Baggett, "The Rise and Fall of the Texas Radicals," 51-53; Owens, "Presidential Reconstruction in Texas," 132-34; Ramsdell, *Reconstruction in Texas*, 11-12; Kingston, et al., *The Texas Almanac's Political History of Texas*, 61; Smallwood, *Time of Hope, Time of Despair*, 130; Baum, *The Shattering of Texas Unionism*, 146-47; Holbert, "The Public Career of James Webb Throckmorton," 68-78; Charles Ramsdell, "Presidential Reconstruction in Texas," 204-07; Elliott, *Leathercoat*, 125-29.

40. *Dallas Herald*, August 18, 1866; Ramsdell, *Reconstruction in Texas*, 113; Holbert, "The Public Career of James Webb Throckmorton," 79.

41. *Dallas Herald*, August 18, 1866; Transcription of Inaugural Ceremonies of James W. Throckmorton, August 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

42. *New York Times*, August 16, 1866; *Dallas Herald*, August 18, 1866; Transcription of Inaugural Ceremonies of James W. Throckmorton, August 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

43. *New York Times*, August 16, 1866; *Dallas Herald*, August 18, 1866; Transcription of Inaugural Ceremonies of James W. Throckmorton, August 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

44. *Dallas Herald*, August 25, 1866; Transcription of Inaugural Ceremonies of James W. Throckmorton, August 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH; *New York Times*, August 22, 1866; Owens, "Presidential Reconstruction in Texas," 134 and 159; Ramsdell, *Reconstruction in Texas*, 113 and 126; Chapin, "Presidential Reconstruction in Texas," 119-20; Holbert, "The Public Career of James Webb Throckmorton," 80-81.

45. O. M. Roberts, "The Experiences of an Unrecognized Senator," *Southwestern Historical Quarterly* 12 (October 1908): 87-89; Richter, *The Army in Texas During Reconstruction*, 57; Moneyhon, *Republicanism in Reconstruction Texas*, 49-50; Ramsdell, *Reconstruction in Texas*, 115-18; Holbert, "The Public Career of James Webb Throckmorton," 81-82.

46. Barry A. Crouch, "All the Vile Passions: The Texas Black Codes of 1866," *Southwestern Historical Quarterly* 97 (July 1993): 13-34; Moneyhon, *Republicanism in Reconstruction Texas*, 49-50; Smallwood, *Time of Hope, Time of Despair*, 130-31; Baum, *The Shattering of Texas Unionism*, 160-61. Crouch's work is the single best study on the Texas Black Codes.

47. Richter, *The Army in Texas During Reconstruction*, 59-61.

48. *Dallas Herald*, September 1, 1866.

49. Sheridan, *Personal Memoirs*, Vol 2, 232-33.

50. *Dallas Herald*, September 1, 1866.

51. Shook, "Federal Occupation and Administration of Texas," 167.

52. Throckmorton to J. J. Diamond, September 12, 1866. James W. Throckmorton (J. W.) Letter Book. CAH.

## CHAPTER VII

EVERY EXERTION WITHIN MY REACH: CHALLENGING  
PRESIDENTIAL RECONSTRUCTION IN TEXAS, 1866

Throckmorton's governorship was characterized by three key issues: frontier defense, his belief that civil authority triumphed over military rule, and the governor's removal from office. The North Texan's attempt to preserve white dominance in Texas served as the bases for the positions that he took in each of these issues. Regarding the defense of the frontier, the governor wanted to remove the Indians from the state's western lands, making that part of the state safe for Anglo settlers. Also, if whites were going to effectively keep blacks from enjoying full citizenship, it was clear that the civil government would have to be able to work independent of the military authorities who were charged with the duty of protecting the freedmen and their white allies. Thus, the governor sought to eliminate the necessity of military courts, particularly those of the Freedmen's Bureau, and to induce military authorities to yield to the jurisdiction of state and local courts. Finally, Throckmorton was removed from the governor's office because he refused to accept Congressional Reconstruction which promised to give the

former slaves an equal footing with white Texans.<sup>1</sup>

By the time of Throckmorton's inauguration on August 9, 1866, white settlers on the Texas frontier were suffering from repeated Indian raids. While the conditions of the settlers were deplorable, the new state government carefully approached the issue of frontier defense. Some legislators believed that the Federal authorities opposed the idea of sending state troops to the frontier counties. According to them, the Federal government believed that the Texas forces might later be used against the U. S. troops in the interior of the state. Though the legislature was initially timid about protecting the western region of the state, Throckmorton was not. He had lived on the frontier most of his life and had witnessed Indian raids on white settlements. The governor's sympathies clearly were with the settlers. Before his inauguration, Throckmorton wrote to the citizens living on the frontier assuring them that adequate protection of their region would soon be forthcoming: He stated that "every exertion within my reach shall be exhausted—the frontier shall be protected. We must first look to the General Government. If that fails, then [we will] take the burden upon ourselves." The North Texan continued, "I shall urge upon the Legislature the passage of such measures as will give me the power to

defend the border, in the event of failure on the part of the General Government to afford adequate and permanent protection." The governor-elect then asked the people on the frontier to send him as much information as possible on the condition of their region.<sup>2</sup>

During his inaugural address, Throckmorton reaffirmed his pledge to provide protection for the people in the western regions of the state.<sup>3</sup> In his inaugural address, the governor stated:

The condition of the frontier shall receive my serious attention. At the earliest moment, I shall endeavor to secure from the General Government adequate and permanent protection, and will, at the same time, use every exertion to have such treaties, made by the proper authorities, as will insure future security to the people. In the event, a sufficient number of troops cannot be procured from the Government, for the protection of the frontier, I shall not hesitate to urge expenditures by the State for this purpose.<sup>4</sup>

The ink had barely dried on the inaugural address when the governor's office was inundated with letters from the frontier which described the intensity and horror of the Indian attacks on whites: Each correspondent asked for the same thing—protection for white settlers until the Native Americans could be removed or exterminated.<sup>5</sup>

On August 14, the governor received a report from the Cherokee Nation that "a party of thirty Osage Indians on

their return from Texas with a large number of [stolen] horses passed" nearby Washita "about a week ago and "thence came two miles in the direction of this place where they turned north towards the Osage Country." The report concluded that their "intention was evidently to attach the blame to the Reserve Indians in case of pursuit."<sup>6</sup> Another report of stock theft detailed that four white men ran across two different groups of Indians near the "mouth of the Concho [River]" and that the Indians were in possession of a large number of stolen horses and cattle. According to this report, "cattle in that section of country were nearly all driven out," and "many settlers have left the country" because "a general feeling of uncertainty prevails."<sup>7</sup> Numerous reports such as these crossed the governor's desk, and financial loss due to theft was a commonly reported occurrence. However, these accounts were not as terrifying as those accounts reporting the violent acts committed against the pioneers.

On August 16, T. Smiley, a trader in the Cherokee Nation, sent Governor Throckmorton the grave news that a potential Indian war against Texas seemed evident. Relaying information which he had obtained from Major R. Miller, a former United States Indian agent in the Indian Territories, Smiley reported that "the Indians of the

prairie (Kiowas & Comanches) have had their usual annual council and being represented by the Arapahos and others. They have determined to make war on the state of Texas with renewed vigor." Smiley continued "I need not explain to you the small amount of interest that the agents and other officials on this side of Red River take in the welfare of the state of Texas, and it would appear from the slow movement of the Government troops that the protection of the frontier is almost lost sight of." The Indian trader then warned Throckmorton that "unless there is some active measures taken, the people of the border counties [of Texas] are bound to suffer."<sup>8</sup> Undoubtedly, this report as well as other accounts of Indian depredations which continued to trickle into his office strengthened the governor's resolve to protect settlers living on the Texas frontier.

Believing that one of the primary responsibilities of government was to protect and to aid the people it served, Throckmorton turned to the Federal military for a solution to the frontier problems. It seems ironic that he was not bothered by the crimes being committed against the freedmen and their white allies in the interior of the state.<sup>9</sup> However, it should be noted that most of the correspondence reaching the governor's desk during his early months in

office was from frontier settlers who were pleading for the state government to provide relief from Indian depredations in the western regions of the state. As a result, the governor initiated plans to have the U. S. Army move its troops to frontier counties in the state.

Throckmorton's appeal to the Federal government for frontier protection faced two major obstacles. First, U. S. Army commanders believed that reports of hostile activities on the Texas frontier were exaggerated. Second, the occupation forces distrusted the loyalty of the Texas government, inferring that the state officials were only trying to move the U. S. forces from the interior where soldiers were protecting freedmen and white radical Unionists from ex-Confederates and former secessionists. Throckmorton quickly realized that he would need to gain the trust of the occupying forces if the frontier was to be rid of Native Americans.<sup>10</sup>

In August, Throckmorton sent a request for frontier troops to Major General Horatio G. Wright, who had replaced General Granger as commander of the District of Texas a year earlier. General Wright replied to Throckmorton that he had no authority to send troops to the western region of the state but that he would send the governor's request to his superior General Philip Sheridan, commander of the

Department of the Gulf. Major General Wright also informed Throckmorton that there were few available troops for the frontier service and that current hostilities in Texas against the freedmen and Unionists warranted keeping all available forces in the interior of the state.<sup>11</sup>

The governor undoubtedly was disappointed in Wright's reply, believing that Federal troops were no longer needed within the interior of the state. Throckmorton undoubtedly weighed the evidence which crossed his desk: The majority of the reports reaching his office were concerned with Indian depredations on the frontier, while reports of the injustices perpetrated against freedmen and Unionists were primarily limited to a few military reports.<sup>12</sup> Thus, while waiting for General Sheridan to respond to Wright's forwarded message, the governor wrote to President Johnson on August 25, informing him of the conditions on the frontier.

Throckmorton's decision to write the President was a logical move considering that the governor had earlier pledged support for his plan of reconstruction and considering that the President's views of the freedmen were closely aligned with his own: Neither man was willing to afford the ex-slaves more than freedom from slavery. Thus, the governor may have entertained the idea that Johnson

would order the military from the interior where its primary function was to protect the freedmen. In his letter to the President, Throckmorton strongly suggested that the settlers' safety hinged on troop deployment to the frontier, especially in the northern part of the state. He voiced his opinion that only a show of force could prevent future Indian raids on the white Texans.<sup>13</sup>

Meanwhile, Major General Wright forwarded Throckmorton's request to General Sheridan with an endorsement of the governor's petition for frontier troops.<sup>14</sup> Sheridan was not convinced by his subordinate's assessment of the frontier conditions in Texas, believing that Throckmorton was purposely exaggerating the severity of the Indian depredations in an effort to obstruct the military's effort to protect blacks and Unionists from their ex-Confederate neighbors. Nevertheless, the general promptly informed the governor that he had "directed the District [of Texas] commander to send a cavalry force to Fredericksburg or [in the] vicinity, from thence to operate against such Indians and white men as are committing depredations on this portion of the frontier." Sheridan also noted that "as soon as additional troops are sent me to establish forts on the frontier, it will be done."<sup>15</sup>

While Throckmorton was trying to secure a Federal

presence in West Texas, the state legislature attempted to provide relief to the settlers by creating three mounted regiments for service on the frontier. In an effort to win Federal approval for their act, the legislators placed the newly formed regiments under the direction of the Federal military with the stipulation that the volunteers could not be removed from the state for detached service. The Texas legislature justified the creation of the frontier troops by arguing that a majority of the Federal soldiers were posted along the Rio Grande due to political unrest in Mexico: At the instigation of Napoleon III of France, Maximilian was attempting to establish himself as emperor of Mexico, and Federal authorities were concerned that Maximilian might contemplate an invasion of Texas if he was successful in seizing the reins of power. Therefore, the legislature deemed it necessary to authorize the enlistment of the Texas frontier troops for use in the northern and western regions of the state.<sup>16</sup>

The legislature's debates regarding the formation of frontier regiments were published in various newspapers throughout the state, and even before the legislature officially passed the act, the governor received numerous letters from individuals who recommended various men to command ranging companies that might be raised in their

region of the state. Typical of these letters was the one received from John Baylor on September 1, 1866. He wrote "I take the liberty of recommending for your favorable consideration, Capt John Pulliam, as one of the Captains for the proposed Frontier Regiments." Baylor then presented the qualifications for the position, stating that "Capt Pulliam was with me during the late war and was a most efficient and excellent officer. Should you think proper to authorize him to raise a Company I have no hesitation in saying that he will prove in every way worthy of your confidence."<sup>17</sup>

The governor also continued to receive reports throughout September from settlers on the frontier outlining new Indian depredations and letters from frontiersmen requesting that he provide immediate and adequate protection of their homes. In one such letter, Jack J. Cureton, a noted Indian fighter, wrote that people "in all parts of the country" were continually asking him what he thought the governor would do to protect them. Cureton then reflected that "I answer them as I did when talking about the election. Throckmorton will do all in his power to protect us. I assured the frontier people if we elect Throckmorton we will have a friend on whom we can depend." Cureton then moved to central point of his

letter, stating that "I have been solicited time and again to [write] to you on this subject. We want some organization of a military character to compel men to there duty . . . all eyes are directed towards Austin for relief. They hope to hear of our own countrymen being called out in addition to the troops sent by the Federal Government."

The frontiersman concluded by stating that "the sentiments of [the] frontier people who are willing to shoulder their arms to protect their property, wives, children, fathers & mothers if they are permitted to take part in the work and they think that there are no men in the world so capable of doing justice to the service as those who have lived and battled with the enemy for the last eight years."<sup>18</sup>

Throckmorton replied to Cureton on September 8 and reaffirmed his determination to help the people of the frontier, but he also revealed the obstacles that confronted him in providing relief. Leathercoat stated that "I can assure you that I will give every exertion in my power to the protection of the frontier." Throckmorton continued, "the legislature is now considering a bill for this purpose, and I hope they will do something. But unless they provide the means to pay for it, it is useless to give me the power to raise men." The governor concluded with a prophetic statement, "After the legislature does all

it can, it may be that the General Government will not permit us to call out men for this purpose. I have already called upon the President and Military authorities for protection, and shall continue to press it in every conceivable way until it is accomplished."<sup>19</sup>

A more alarming report of depredations in Montague and Cooke counties reached Governor Throckmorton's desk at about the same time Cureton letter arrived. According to J. T. Mosby, "a man by the name of Box was killed and his family consisting of a wife & four daughters were carried off." Mosby stated that "immediate action in reference to frontier protection" was necessary. "Something must be done," proclaimed the frontiersman, because "the settlements on the frontier will be abandoned."<sup>20</sup> After receiving numerous letters like those mentioned above and reading the many newspaper accounts of the same stripe, Throckmorton strengthened his resolve to provide relief to the people living in the western counties.

At the end of September, Throckmorton informed both Secretary of War E. M. Stanton and General Sheridan of the legislature's act which authorized him to raise state troops for the frontier. The governor urged Sheridan to accept the frontier regiments as part of his command and stressed the need for troops on the frontier. In his

letter to Stanton, Leathercoat was more forward: He stated that if the General government failed to adequately protect the frontier settlers then the "state will be compelled to undertake it." The governor also expressed his opinion that stationing Federal troops in the interior of the state wasted human resources, and that "the troops stationed in the interior of the state are of no service whatever. The laws can be enforced, and every class of our population can be protected in all their rights, without the aid of the military, and I most respectfully ask that the troops be withdrawn."<sup>21</sup> He also requested again that Federal troops, especially black soldiers, be removed from the interior of the state, blaming them for inciting unnecessary violence in the state. The governor's appraisal of the troops in the interior seemed to reflect his own racist views: He unfairly blamed black troops for the atrocities occurring in the interior of the state, rather than properly faulting unreconstructed white Texans.<sup>22</sup>

At the end of September, Major General George W. Getty replaced Wright as the commander of the District of Texas. Still waiting to hear from Federal authorities in Washington, Throckmorton immediately wrote to Getty apprising him of the situation on the frontier and requested that he use his influence to ensure the

protection of the settlers. Additionally, the governor wrote to General U. S. Grant, requesting that the Texas be allowed to raise state troops to protect the frontier. By early October, Throckmorton's campaign to procure troops was being closely scrutinized by Federal officials and military commanders.<sup>23</sup>

The governor soon received disappointing news. On October 11, Secretary of War Edwin Stanton wrote to Throckmorton that the President had considered the circumstances in Texas in a recent cabinet meeting and was disposed to provide the Texas settlers all possible aid. Stanton continued by informing the governor that the President believed that the United States military would be able to provide adequate protection to the settlers without the help of the Texas volunteers. Stanton's letter to Throckmorton reaffirmed an earlier telegram which General Sheridan wrote to the governor on October 9, 1866. Sheridan informed the state's chief executive that he would not accept the Texas volunteers as part of his command. However, despite his suspicious belief that the Texas legislature was conspiring to remove the Federal troops from the interior, General Sheridan stated that "I have the pleasure of informing you that additional troops have been ordered to your state; that an inspector will be at once

sent to the northern frontier of Texas and that as much protection as we possibly can give to the frontier will be cheerfully given, and also, that in the early spring the frontier posts will be established."<sup>24</sup>

The Federal authorities' refusal to allow the state to raise frontier troops created an embarrassing situation for the governor because he had already issued an order to begin organizing companies for frontier service on October 6.<sup>25</sup> In many of the frontier counties, the inhabitants enthusiastically responded to the governor's call for troops and immediately began to volunteer for service. In early November with Federal troops on their way to the frontier, Throckmorton was forced to rescind his earlier order. In writing to the frontiersmen, Throckmorton put the best possible interpretation on his predicament. For example, the governor wrote to Thomas F. Mosby that "I do not contemplate at this time, being forced to the necessity of using them [state frontier troops]. Yet, I desired very much that the company should be organized so that should the absolute necessity occur I could order them out." Throckmorton then updated Mosby on the Federal army's efforts to protect the frontier citizens. He stated that "eleven companies [of] regular cavalry, under Lt. Col. Oats, an old experienced frontier officer, are ordered to

concentrate immediately at Jacksboro. I have asked and believe I will succeed in the request, to have four companies stationed in Montague, one or two in Cook [County]. . . . Finally, Leathercoat stated that he had "such hints from Sheridan that I am satisfied it would not do for me to order out the frontier reg's at this juncture. This will explain the reason of my not rushing them in the field."<sup>26</sup> Despite his awkward situation, Throckmorton had reasons to be optimistic about the Federal government's protection of the frontier.

In mid-October, Sheridan initiated a plan to provide protection to the western and northern counties of the state. The commanding officer wrote to Brevet Major General Heintzelman authorizing him to post troops under his command on the frontier if he deemed it necessary. Sheridan also informed Heintzleman that additional infantry troops were en route to Texas. On October 16, General Sheridan informed Governor Throckmorton that he had transferred command of the District of Texas to General Heintzleman and that he had authorized the new commander to concentrate the entire cavalry force under his command, approximately 2,000 men, on the frontier.<sup>27</sup>

Additionally, Sheridan ordered Major G. A. Forsythe to the northwestern part of the state to ascertain the true

nature of the Indian threat.<sup>28</sup> Throckmorton sent a dispatch to Major Forsythe after learning of his mission. The governor urged the army scout to closely examine the circumstances in Montague, Jack, Palo Pinto, Erath, Comanche, Brown, San Saba, Llano, and Mason counties which seemed to be the areas most devastated by Indian raids. The governor also wrote to J. P. Dumas of Sherman informing him that Forsythe was en route to the area to examine possible locations for additional fortifications. In essence, Throckmorton asked Dumas to function as a guide for Major Forsythe and to inform him of the Indians' devastating affect on the northern frontier. Naturally, it took time for Forsythe to complete his task. As a result, the deployment of troops was delayed several weeks.<sup>29</sup>

Desiring that troops be deployed to the frontier as quickly as possible, Throckmorton wrote to the commander of the Sixth United States Cavalry on November 5, 1866, and inquired as to why Federal forces had not started their march to the frontier region. The governor warned the commander that additional delays and continued raids would force him to muster the Texas volunteers into service.<sup>30</sup>

Throckmorton's impatience was unfounded. Even as he wrote to the commander of the Sixth Cavalry, General Sheridan ordered troops deployed to the frontier. On

November 6, he instructed General Heintzelman to post the second battalion of the Seventeenth U. S. Infantry at Austin and to send the Fourth and Sixth U. S. Cavalry units to the northern and western counties of the state. Sheridan also ordered Heintzelman to move troops without orders from the headquarters in cases of emergency.<sup>31</sup> After receiving these instructions, the Texas commander ordered eleven companies of the Sixth Cavalry to take winter quarters in Jacksboro while he sent five companies of Fourth Cavalry to Fort Mason. Of the companies sent to Fort Mason, one was to remain there while three were to proceed to Camp Verde and one to Fort Clark. While Heintzelman relocated troops, he also left some soldiers in the southern part of the state: One company remained at Fort Inge and two others were ordered to the subdistrict of the Rio Grande border. Additionally, the general sent troops to reinforce interior post. Ten companies in the first battalion of the Seventeenth Infantry were sent to major points in southeast Texas: Two companies were sent to Hempstead; two to Brenham; two to Houston; and four to Galveston.<sup>32</sup>

The deployment of troops slowly proceeded, but it appears that the U. S. Army reacted in good faith to protect the citizen on the Texas frontier. By the end of

December 1866, the northern and western counties had been adequately supplied with U. S. soldiers, and the troops seemed to have been effective in curbing Indian raids. The number of the reports of new depredations declined in 1867. As a result, the frontier ceased to be a major issue of concern for the Throckmorton administration. The governor could boast that he had been the driving force behind protecting the settlers. However, the governor's threat to use Texas volunteers obviously produced distrust between his administration and the military authorities. It seems certain that Throckmorton's persistence in demanding that the troops be removed from the interior of the state to frontier fortifications and the tactics of appealing to General Sheridan's superiors in Washington were two contributing factors which eventually led to the governor's removal from office in August 1867.<sup>33</sup>

Governor Throckmorton's problems with military authority went well beyond conflicts over the deployment of troops to the frontier region of the state. A wider rift between the Throckmorton administration and the military authorities developed over the governor's insistence that civil rule was superior to the military's authority in the state. After President Johnson's proclamation on August 20, 1866, the governor immediately set out to solidify the

civil government's control of the state. Throckmorton's task was nearly impossible, especially considering that the Radical Republicans in Congress were challenging President Johnson's plan of reconstruction. The infighting in the nation's capitol caused delays in transferring sovereignty of the state from military to civilian rule. In addition to the problems in Washington, D.C., events in Texas seemed to suggest that the state officials were unwilling to accept the dictates of Reconstruction policies, especially recognition of the newly won status of freedmen and the protection of white Unionists.<sup>34</sup> It was clear that Throckmorton and other like-minded Texans wanted an end to Reconstruction.

In his effort to reinstate the civil control of Texas, Throckmorton repeatedly informed local officials of the necessity of maintaining law and order. The governor requested county sheriffs and judges to practice impartial justice at the local level: He reinforced his directive by stating that Union men, ex-Confederates, and the freedmen should receive equal justice before the law. However, it is doubtful that Throckmorton acted out of a sense of humanitarianism; rather, it seems more probable that he simply desired to bring Reconstruction to an end.<sup>35</sup>

One of Throckmorton's earliest battles with the

military authorities occurred less than a month after the governor's inauguration. This clash was with the Bureau of Freedmen, Refugees, and Abandoned Lands, commonly known as the Freedmen's Bureau. The Federal government created the bureau on March 3, 1865, and charged it with helping the freedmen make their transition from slavery to freedom. The bureau officially began its task in Texas in December of 1865. The first assistant commissioner of the bureau in Texas was General E. M. Gregory, but General J. B. Kiddoo replaced him in May 1866 prior to Throckmorton's gubernatorial election. On July 16, 1866, Congress passed an act which allowed the bureau to continue operating in the southern states and gave its officers complete authority over all matters relating to the former slaves. After Throckmorton was officially elected as the chief executive of the state, General Kiddoo wrote to him explaining the bureau's purpose and seeking the governor's cooperation in helping the freedmen of Texas.<sup>36</sup> The governor responded favorably to Kiddoo's correspondence assuring the bureau commander of his "readiness to cooperate . . . in lending all aid in [his] power, that the duties required of you may be discharged in such a manner as will ensure justice to that class of people who are placed under your charge."<sup>37</sup>

While Throckmorton and Kiddoo exchanged pleasantries, a crisis erupted at Brenham which would test the good intentions of both sides. The local bureau agent Captain Samuel Craig arrested the editor of the *Brenham Banner*, Dan L. McGary. The editor had published several unflattering editorials about James Whann and his wife, two bureau teachers working near Brenham, and had criticized the sub-assistant agent's efforts to protect the interest of local freedmen. Fearing that the editor's comments would arouse the ire of local whites against the freedmen and the bureau, Captain Craig warned the editor that the military would arrest him if he continued to print slanderous rhetoric about the bureau and its teachers. McGary ignored the subassistant's warning and proceeded to publish his defamatory rag. As a result, Craig arrested the editor and assessed a fine of two hundred dollars against him. Instead of paying the fine, McGary chose to remain in jail, perhaps viewing himself as a martyr of the South's "lost cause."<sup>38</sup>

After receiving word of the incident, Throckmorton wrote to Kiddoo protesting the arrest of the editor as an infringement of the Constitution's guaranteed right of freedom of the press. Kiddoo responded by informing Throckmorton that the editor had constantly used his

newspaper to unnecessarily abuse the character of the freedmen, the bureau, and the soldiers stationed at Brenham. However, in an effort to secure peace, General Kiddoo reluctantly ordered Craig to release McGary. Subsequently, Kiddoo also transferred Captain Craig to the bureau office in Seguin, Guadalupe County.<sup>39</sup>

While the problems with McGary were seemingly resolved, Captain Craig found himself once again at the center of a controversy in Guadalupe County. The bureau agent actually had inherited the problems of his two predecessors, Judge William Longworth and Lieutenant James B. Moore of the United States Colored Infantry. Longworth was an ardent protector of the freedmen in Guadalupe County, and as a result, General Gregory appointed him as the bureau agent for the county in December of 1865. The judge, however, was unfamiliar with bureau policies and began to use questionable tactics in achieving his noble goal of protecting the freedmen. Apparently, Longworth had even stepped outside the law: A bureau investigator looking into complaints levied against Longworth stated that the judge had reopened cases that had already been settled to the satisfaction of both sides, compelled citizens to testify even when their were no formal complaints, kept freedmen from work for days until their

cases had been heard, charged illegal fees, and made unnecessary, vitriolic speeches to the freedmen which served to disrupt the agricultural pursuits in the county. Judge Longworth actions understandably caused the white citizens of the county to side against not only him, but also against the bureau and the freedmen under its protection. Longworth became such a liability that General Kiddoo replaced him with Lieutenant Moore. After being removed from office, Longworth returned to his home in Sutherland Springs, Wilson County. Lieutenant Moore soon proved to be just as much a liability to the bureau as had Longworth. The bureau inspector who investigated the complaints against Moore described him as a man of little principle and a drunk. It was also reported that Moore solicited prostitution from freedwomen on the street and that he was under indictment for gambling within the city limits of Seguin.<sup>40</sup>

After arriving at Seguin, Captain Craig, under orders from General Kiddoo, informed the judge that he should return to Seguin and face the possibility of arrest for his illegal activities. Longworth informed Craig that he feared for his own safety given his past actions as sub-assistant commissioner. The captain assured the former bureau agent that he would be protected under General Order

No. 3 of the Adjunct General's Office in Washington and General Order No. 5 of the District of Texas. Both these documents protected military personnel from prosecution in state courts while performing their duties. Craig also ensured Longworth that he would take personal responsibility for his safety. After the commander of the District of Texas intervened on Longworth's behalf, the judge was exempted from any arrest and was shielded from future prosecution.

With Longworth safe for the time being, Craig turned his attention to Lieutenant Moore's indictment for illegal gambling. After Craig posted bond for Moore, the lieutenant made a clandestine escape from the town. While disappointed that Moore had escaped prosecution, the citizens of Seguin took some comfort in the fact that the lieutenant's last paycheck of \$143 was intercepted and distributed to people in the town whom Moore owed money. All seemed well, but when Captain Craig visited Judge Longworth at his new home in Electo, Karnes County, the former agent expressed despair that the ex-Confederates would eventually prosecute him for real and unsubstantiated crimes against the county.<sup>41</sup>

Captain Craig, who was sympathetic to Longworth's circumstances, attempted to save him from further

prosecution by securing all the court records relevant to both Longworth and Moore cases. When the local district clerk of Guadalupe County, James Wilcox, refused to turn the records over to Craig, the bureau agent had him arrested. Wilcox eventually surrendered the requested documents, and Craig promptly destroyed them. In early December, the grand jury in the county indicted the bureau agent for "stealing" state records and placed him in jail without bail. After three days, the military forced the local authorities to release the captain.<sup>42</sup>

Throckmorton protested the military's actions in Guadalupe County to General Kiddoo and General Sheridan, but both believed that the governor's protest were invalid given the circumstances of the cases. By this time, Craig had grown weary of the troubles in Texas. As a result, the captain retired from the military. Once Craig left the state, the controversy faded from public attention.<sup>43</sup>

At the same time that he was battling the Freedman's Bureau, Throckmorton was also contesting the authority of the United States army. His first opportunity to challenge the army's command came in early September when he protested the actions of Federal troops stationed in the coastal community of Victoria. The chief justice of Victoria County, C. Carson, wrote to Throckmorton claiming

that the Federal commander stationed in Victoria refused to recognize local authority and was protecting black troops from criminal prosecution. According to Carson, Federal troops were not upholding the law in the county. They stood accused of aiding the escape of African Americans from the county jail; of hanging a white man accused of murdering a black man; and of arresting and imprisoning various citizens of the county on false charges. Carson stated that all of Victoria was experiencing a reign of terror. Furthermore, the chief justice reported that Captain Spaulding, commander of the forces at Victoria, refused to turn over two black soldiers accused of murdering William Walker, a white citizen of the county.<sup>44</sup>

Reacting to evidence presented in Carson's letter, Governor Throckmorton wrote to General Heintzelman stating that "these things are hard to be borne and I must earnestly beg of you, that not only those soldiers be arrested and held for trial by the civil authorities if there is any proceedings against them, but also ask that Captain Spaulding be arrested and tried by Court Martial for not discharging his duty in this case."<sup>45</sup> Heintzelman informed Throckmorton that he was "satisfied that many illegal & unlawful acts have been committed by Capt. Spaulding's command" in Victoria and that he would turn the

matter over to General Sheridan.<sup>46</sup>

In November, Sheridan ordered that one of the soldiers be turned over to the civil authorities for trial. The governor was pleased with the military's response to the circumstance in Victoria and believed that he had effectively secured official recognition from the military that civil authority was once again superior in the state. However, Throckmorton's euphoria was short lived as another conflict erupted between the civil and military authorities in Brenham.<sup>47</sup>

On September 7, 1866, just two days before Captain Craig left Brenham, a group of Federal soldiers of the Seventeenth Infantry under the command of Brevet Major George W. Smith apparently went to an African American dance. When they were asked to purchase a ticket to the social function, the soldiers reportedly forced their way into the dance hall and caused the breakup of the party. Some of the African Americans left the dance and went to Duke's Dance Hall where whites in the community were holding their own party. The soldiers followed the African Americans and proceeded to break up the white gathering. Sometime after the arrival of the troops to Duke's Dance Hall, the white citizen fired at the soldiers, wounding two of them. Major Smith appeared on the scene with his

company shortly after twelve o'clock and arrested two citizens involved in the disturbance and demanded that other be surrendered to his command. Smith further stipulated that the town would suffer if the citizens did not carry out his orders within the hour. While waiting for the surrender of additional men, Smith's troops were reported to have patrolled the streets of Brenham. Once the hour had passed and no one was brought forth, the soldiers gathered at Wyatt's saloon and then proceeded to ransack the town, breaking into Compton's general store and pillaging it. At some point, the store was then set fire, and before the blaze could be brought under controlled, the inferno spread to several adjacent buildings, destroying a large section of the town.<sup>48</sup>

After receiving word of the crisis in Brenham, Governor Throckmorton directed the sheriff of Washington County to restore law and order in the town, and he dispatched a telegram to Major Solon H. Lathrop, who was stationed at Houston, asking the army officer to investigate the events which had transpired at Brenham. The governor also sent a special message to the state legislature recommending that they appoint a joint committee to investigate the matter: They were instructed to take testimony regarding the origins of the fire and to

estimate the property damage which resulted from the blaze. Throckmorton then wrote to Lieutenant Colonel E. C. Mason, regimental commander stationed at Galveston, and asked that Smith and his company be removed from the area. Additionally, Throckmorton requested that Mason turn over the soldiers who were involved in setting the fires for civil prosecution. Much to the governor's surprise, Lieutenant Colonel Mason's official report of the incident exonerated the army of any wrong doing. He further stipulated that citizens disguised in military uniforms were actually responsible for starting the fire. On September 20, General Sheridan telegraphed the governor that he had ordered Smith not to turn himself or any of the men in his command over to civil authorities until the matter had been properly sorted out. Sheridan also asked Throckmorton to aid him in calming the excitement surrounding the crisis. Throckmorton responded to Sheridan stating that his office would cooperate with the military but stressed that Smith and his men should be removed from Brenham to avoid further turmoil. Throckmorton also sent word to Representative James Shephard, who was in charge of the legislative committee investigating the fire, not to arrest any of the Federal troops stationed at Brenham.<sup>49</sup>

Fearing that the military would not turn over the

soldiers, Throckmorton wrote two letters to Henry Stanbery, the United States Attorney General. In the first, Throckmorton sent evidence which suggested that U. S. soldiers were involved in burning the town and asked Stanbery to bring them to justice. He also mentioned the problems which had occurred in Victoria. Generally, Throckmorton wanted an order handed down from Washington which would force the military authorities to recognize the supremacy of civil officials in the state.<sup>50</sup>

The governor's second letter was more direct. He stated that "these cases in addition to others heretofore sent to your office will show the necessity for the authorities of the General Government to make known to the State authorities how far State laws and the laws and Constitution of the United States are to look to for protection." The governor then asked whether the military were subject to the President's proclamation of August 19, or were they going to be allowed to "continue to disregard and override the rights of the loyal citizens of the U. S., leaving them powerless, and at the mercy of every petty military upstart, who may chance to have bayonets to enforce the edicts of a heart and mind too callus to be touched with a single aspiration for the peace and prosperity of a suffering country, and so benighted as

never to have had flashed upon it a single ray of intelligence."<sup>51</sup> Attorney General Stanbery replied rather promptly to Throckmorton stating "orders have been issued to the military authorities as will prevent the recurrence of collision between the military & civil jurisdictions in the State of Texas."<sup>52</sup> While Throckmorton was pleased with the response from Washington, it seems certain that the governor's vitriolic attack of the military did little to improve relations between his administration and the army commanders in Texas.

The legislative committee proceeded to Brenham, but found the military to be less than cooperative: Captain Smith refused to allow the committee to question his soldiers. The committee's official report claimed that Smith was responsible for the incident and recommended that civil authorities should detain him. Subsequently, a Washington County grand jury indicted the commander for arson and burglary. At that point, Throckmorton asked General Griffin to turn Smith over to the civil authorities in the county. However, the military took no immediate action to solve the matter.<sup>53</sup> As the relations between civil and military deteriorated, General Sheridan wrote to General U. S. Grant that the soldiers involved in the incident at Brenham were reported to be unarmed and

inoffensive and that the townspeople's insolent and threatening attitude toward the army was the root cause of the confrontation. Furthermore, he added that the damage to the town was minimal and that the buildings as well as the contents inside them were not particularly valuable anyway.<sup>54</sup>

Sheridan ordered Lieutenant Colonel Mason to come to New Orleans and give him a detailed report of the Brenham incident. After interviewing Mason, Sheridan decided to travel to Texas to personally investigate the matter. Upon arriving in Brenham and examining the facts more closely, the general wrote to Grant again. Sheridan conceded that Union soldiers had, indeed, set the fire. Nevertheless, despite continued protest from Throckmorton, the general did little to prosecute the matter.<sup>55</sup> Though Captain Smith appeared to be at fault, the military authorities reassigned him to duties outside of Brenham, rather than turning him over to the civil courts. In July 1867, the Department of Texas put an end to the matter by issuing a special order that formally cleared Smith of all charges against him.<sup>56</sup>

One more incident occurred in September 1866 which afforded Throckmorton an opportunity to confront the military authorities. However, this case proved

detrimental to the governor's call for Federal troops to leave the interior. In a Bell County court case, Johnathon Lindsey was accused of conspiring to murder two men named Davis and Duncan. Apparently, the history of the case extended back to the Civil War. Lindsey, a rabid secessionist, was found to be connected with a gang of horse-thieves in Collin County and was forced to leave the North Texas region during the war.<sup>57</sup>

At the close of the war, Lindsey returned to his former trade in Lampasas County. Fearing that two Bell County men might have incriminating evidence against him, Lindsey hatched a plan to save his neck from the hangman's noose. He approached the Federal authorities and claimed that Duncan and Davis had led a mob in North Texas during the war which hanged his son for pro-Union views. Given the widespread knowledge of the Gainesville hangings, the Federal authorities believed his story probable, and as a result, the military arrested the two suspects, planning to bring the men before a military court. Unfortunately for Duncan and Davis, Lindsey was with the military unit which arrested them. At some point, he shot and killed the two suspects for attempting to escape. The grand jury in Bell County issued warrants for the arrest of both Lindsey and the officer in charge of the military escort, but the

military authorities insisted that a military commission try the case. Furthermore, they refused Throckmorton's request to allow his attorney general to attend the military trial. All parties in the Lindsey affair were acquitted of wrong doing. However, Lindsey was later arrested in Bell County and despite the assurance of Governor Throckmorton to the military authorities that Lindsey was safe in the hands of the local authorities, a mob broke into the jail, seized the accused murderer, and lynched him. The inability of the Bell County authorities to secure the safety of Lindsey was prejudicial to Throckmorton's claim that the state and local governments could administer fair justice in civil affairs. It seems certain that General Sheridan would have used this case to illustrate the necessity of maintaining troops in the interior of Texas, but his own position was seriously weakened by the events which had transpired in Brenham.<sup>58</sup>

During the early days of Throckmorton's governorship, Texas became a virtual killing field. The frontier was out of control with Indian raids threatening the lives of settlers in the west. Ex-Confederates nefariously terrorized the freedmen and their white allies in the interior of the state. While these atrocities developed, state authorities and military commanders vehemently

disagreed over which citizens were in greater need of protection. Though underfunded and undermanned, soldiers in the U. S. Army and the agents of the Freedmen's Bureau did their best to preserve the peace. Despite some anomalies, the Federal troops served admirably and remained true to their mission, protect the rights of all loyal men in the state regardless of ethnicity. Throckmorton, on the other hand, fought to ensure that white Texans dominated the social, political, and economic institutions of the state, especially on the frontier. For him, as well as many ex-Confederates the lives and rights of the freedmen, or the Plains Indians, mattered little. There was little doubt that the governor's attitude toward the non-white population made him an impediment to Reconstruction, a circumstance that ultimately led to his removal from office.

## Endnotes

1. *Dallas Herald*, October 13, 1866; Ramsdell, *Reconstruction in Texas*, 126.
2. Throckmorton to Col. W. W. Cochran, E. Stewart, and others, August 8, 1866. Throckmorton (J. W.) Letter Book. CAH; Bruce Logan Parker, "Indian Affairs and the Frontier of Texas" (M.A. Thesis, University of Texas, 1925), 33-34.
3. *Ibid.*, 23-24; Ramsdell, *Reconstruction in Texas*, 136-37; Holbert, "The Public Career of James Webb Throckmorton," 83-84; Elliott, *Leathercoat*, 133-34.
4. *Dallas Herald*, August 18, 1866; Transcription of Inaugural Ceremonies of James W. Throckmorton, August 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH.
5. Elliott, *Leathercoat*, 134.
6. T. Smiley to Hon. J. W. Throckmorton, August 14, 1866. Records of James Throckmorton. TOG/AD/TSL.
7. T. L. Jackson and others to Governor J. W. Throckmorton, August 15, 1866. Records of James Throckmorton. TOG/AD/TSL.
8. T. Smiley to Governor J. W. Throckmorton, August 16, 1866. Records of James Throckmorton. TOG/AD/TSL.
9. For a statistical analysis of the violence perpetrated against the freedmen and white Unionists see Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas," 333-55.
10. Parker, "Indian Affairs and the Frontier of Texas," 15 and 29-30; Chapin, "Presidential Reconstruction in Texas," 121; Elliott, *Leathercoat*, 135.
11. Major General Wright to Throckmorton, August 14, 1866. Records of James Throckmorton. TOG/AD/TSL; Richter, *The Army in Texas During Reconstruction*, 54.
12. *Dallas Herald*, October 6, 1866. This issue of the *Herald* contains extracts from letters received by Governor Throckmorton. The governor apparently allowed the correspondent to view a letter sent to General Sheridan which contained copies of letters that the governor had received since the beginning of his administration, regarding Indian depredations on the frontier.
13. Throckmorton to President Johnson, August 25, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Ramsdell, *Reconstruction in Texas*, 137-38; Chapin, "Presidential Reconstruction in Texas," 119-20; Holbert, "The Public Career of James Webb Throckmorton," 101; Elliott, *Leathercoat*, 136-37.

14. Major General Wright to Throckmorton, August 21, 1866. Records of James Throckmorton. TOG/AD/TSL.

15. Major General Sheridan to Throckmorton, September 3, 1866. Records of James Throckmorton. TOG/AD/TSL; Richter, *The Army in Texas During Reconstruction*, 67; Roy Morris, Jr, *Sheridan: The Life and Wars of General Phil Sheridan* (New York: Crown Publishers, Inc., 1992), 276-77.

16. *New York Times*, January 17, 1867; Spaw, *The Texas Senate: Civil War to the Eve of Reform, 1861-1889*, 67.

17. Baylor to Throckmorton, September 1, 1866. Records of James Throckmorton. TOG/AD/TSL; Elliott, *Leathercoat*, 138-39.

18. J. J. Cureton to Throckmorton, September 2, 1866. Records of James Throckmorton. TOG/AD/TSL.

19. Throckmorton to Capt. J. J. Cureton, September 8, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

20. J. F. Mosby to T. F. Barrets, September 2, 1866. Records of James Throckmorton. TOG/AD/TSL. This letter was undoubtedly forwarded to the governor's office by the recipient.

21. Throckmorton to Major General Sheridan, September 27, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Throckmorton to E. M. Stanton, September 29, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

22. General Sheridan to Throckmorton, October 16, 1866. Records of James Throckmorton. TOG/AD/TSL; Elliott, *Leathercoat*, 138-39. Sheridan's letter to Throckmorton makes reference to the governor's request that colored troops be removed from the interior of the state. The general informed Throckmorton that Federal troops would be placed in Texas wherever they were needed without discrimination between colored and white troops.

23. Throckmorton to General Getty, October 3, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Throckmorton to U. S. Grant, October 6, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Elliott, *Leathercoat*, 139-40. Also, see Grant to Throckmorton, October 20, 1866. Records of James Throckmorton. TOG/AD/TSL. Grant advised against raising state troops and promised more U. S. troops would be sent to the state if circumstances warranted their deployment.

24. General Phil Sheridan to Throckmorton, October 1, 1866. Records of James Throckmorton. TOG/AD/TSL; General Sheridan to Throckmorton, October 9, 1866. Records of James Throckmorton. TOG/AD/TSL; Parker, "Indian Affairs and the Frontier of Texas," 29-31; Holbert, "The Public Career of James Webb Throckmorton," 102-103; Elliott, *Leathercoat*, 140-42.

25. See various letters from Throckmorton to George B. Pickett, Jack Cureton, J. B. Barry, J. B. Davis, C. R. Perry, W. C. Durand, J. W. Sansome, T. P. C. Hambrick, W. H. Harris, J. B. Earhart, and others.

Letters located in James W. Throckmorton Collection, 1838-1888. CAH and in the Records of James Throckmorton. TOG/AD/TSL. Letters from Throckmorton are dated October 6, 1866. Letters received by the governor are found between October 9, 1866 throughout November 1866.

26. Throckmorton to Thos. F. Mosby, November 26, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

27. Sheridan to Throckmorton, October 16, 1866. Records of James Throckmorton. TOG/AD/TSL; Parker, "Indian Affairs and the Frontier of Texas," 29-31; Holbert, "The Public Career of James Webb Throckmorton," 102-103; Elliott, *Leathercoat*, 140-42.

28. Major General Sheridan to Throckmorton, October 25, 1866. Records of James Throckmorton. TOG/AD/TSL; Major General Sheridan to Throckmorton, November 3, 1866. Records of James Throckmorton. TOG/AD/TSL.

29. Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 280; Elliott, *Leathercoat*, 142.

30. Elliott, *Leathercoat*, 142.

31. General Sheridan to General Heitzleman, November 6, 1866. Records of James Throckmorton. TOG/AD/TSL

32. General Heitzleman to Throckmorton, November 13, 1866. Records of James Throckmorton. TOG/AD/TSL; Elliott, *Leathercoat*, 142-43.

33. *Ibid.*, 144-46.

34. *Ibid.*, 147.

35. *Ibid.*

36. Brevet Major General Kiddoo to Throckmorton, August 23, 1866. Records of James Throckmorton. TOG/AD/TSL.

37. Throckmorton to Major General J. B. Kiddoo, August 20, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Elliott, *Leathercoat*, 148.

38. Owens, "Presidential Reconstruction in Texas," 174; Elliott, *Leathercoat*, 149.

39. Brevet Major General to Throckmorton, September 13, 1866. Records of James Throckmorton. TOG/AD/TSL; Owens, "Presidential Reconstruction in Texas," 174; Elliott, *Leathercoat*, 149.

40. Richter, *Overreached on All Sides*, 116-125.

41. *Ibid.*, 133-34.

42. W. E. Goodrich to Throckmorton, October 8, 1866. Records of James Throckmorton. TOG/AD/TSL; Richter, *Overreached on All Sides*, 132-135; Elliott, *Leathercoat*, 149-50.

43. Richter, *Overreached on All Sides*, 133-34.

44. Carson to Throckmorton, September 19, 1866. Records of James Throckmorton. TOG/AD/TSL; Mullins (District Clerk of Victoria County) to Throckmorton, October 27, 1866. Records of James Throckmorton. TOG/AD/TSL; Throckmorton to Major General Heintzleman, September 8, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Richter, *The Army in Texas During Reconstruction*, 63; Elliott, *Leathercoat*, 152-53. Mullins sent a copy of the murder indictment against Smith and Stanley which was filed August 22, 1866.

45. Throckmorton to General Heintzleman, September 25, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

46. Bevet Major General Heintzleman, September 29, 1866. Records of James Throckmorton. TOG/AD/TSL.

47. For the military's explanation of the murder of William Walker see the military's report from the Headquarter's Post in Victoria, Texas, November 29, 1866. Records of James Throckmorton. TOG/AD/TSL; Sheriff H. Garnett to Throckmorton, January 11, 1867. Records of James Throckmorton. TOG/AD/TSL.

48. *New York Times*, September 20, 1866; William L. Richter, "The Brenham Fire of 1866: A Texas Reconstruction Atrocity," *Southern Studies* 14 (Fall 1975): 287-314; Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 278; Elliott, *Leathercoat*, 153-54. Richter's work is the best single source on the Brenham fire.

49. *New York Times*, October 5, 1866; Major General Sheridan to Throckmorton, September 20, 1866. Records of James Throckmorton. TOG/AD/TSL; Address of Throckmorton to the Texas House of Representatives, September 13, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Throckmorton to Colonel Mason, September 14, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Throckmorton to General Sheridan, September 28, 1866. James W. Throckmorton Collection, 1838-1888. CAH; *Dallas Herald*, October 6, 1866; Elliott, *Leathercoat*, 154.

50. Throckmorton to Henry Stanbery, October 12, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

51. Throckmorton to Henry Stanbery, October 19, 1866. James W. Throckmorton Collection, 1838-1888. CAH.

52. Attorney General Henry Stanbery to Throckmorton, November 6, 1866. Records of James Throckmorton. TOG/AD/TSL.

53. Holbert, "The Public Career of James Webb Throckmorton," 93-95; Elliott, *Leathercoat*, 155.

54. Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 278-79.

55. *Ibid.*, 279.

56. Richter, "The Brenham Fire of 1866," 311.

57. Richter, *The Army in Texas During Reconstruction*, 64; Ramsdell, *Reconstruction in Texas*, 131-32.

58. Resolutions Adopted at a meeting in Belton, Bell County, Texas, August 13, 1866. Records of James Throckmorton. TOG/AD/TSL; Throckmorton to Major Starr, September 11, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Throckmorton to General Heintzleman, September 24, 1866. James W. Throckmorton Collection, 1838-1888. CAH; E. S. C. Robertson to Throckmorton, December 7, 1866. Records of James Throckmorton. TOG/AD/TSL; J. W. Fishburn and W. Taylor to E. S. C. Robertson, December 7, 1866. Records of James Throckmorton. TOG/AD/TSL; Throckmorton to J. W. Fishburn & Taylor, December 12, 1866. James W. Throckmorton Collection, 1838-1888. CAH; General Saylor to Throckmorton, December 15, 1866. Records of James Throckmorton. TOG/AD/TSL; James H. Miller to Throckmorton, December 17, 1866. Records of James Throckmorton. TOG/AD/TSL; Richter, *The Army in Texas During Reconstruction*, 64; Ramsdell, *Reconstruction in Texas*, 131-32.

## CHAPTER VIII

## AN IMPEDIMENT TO RECONSTRUCTION, 1867

As the confrontation between the civil and military authorities unfolded, the legislature was in session and was debating laws designed to restrict the rights of Texas freedmen. Concerned about the controversies between the military and civil authorities and worried that the United Congress might establish complete military rule over the state, John H. Reagan wrote to Throckmorton on October 12, 1866. Reagan candidly told the governor that Texas had yet to fulfill the North's wishes, and he reminded his colleague that the state had not yet made provisions for black testimony in all court cases, nor had the legislature granted suffrage rights to the freedmen. The East Texas politician questioned whether whites in his home state understood that such actions would lead to the possible loss of their own political rights, the perpetuation of territorial status in the state, and the continued rejection of their elected officials in Washington. Reagan reminded Throckmorton of his earlier letter sent from his prison cell at Fort Warren on August 11, 1865, and observed that the predictions he had made from his prison cell were materializing. He suggested that the continued existence

of the Freedmen's Bureau and military rule were the direct result of the South's failure to act judiciously. Reagan then warned that the state government might be terminated at any time and suggested that further hardships in Texas might be avoided if the state legislature would grant blacks full civil rights, equal access to the courts, limited suffrage rights, and equal but separate educational facilities for African American children.<sup>1</sup>

After receiving Reagan's letter, Throckmorton questioned the appropriate course the state should follow concerning the adoption of the Fourteenth Amendment to the U. S. Constitution. As a result, the governor sent a telegram to President Johnson on October 29, asking the nation's chief executive for advice in the matter. The next day, Johnson replied to Throckmorton request, informing him that he had "nothing to suggest further than urging the legislature to make all laws involving civil rights as complete as possible, so as to extend equal and exact justice to all persons without regard to color, if it has not been done." The President then attempted to reassure Throckmorton that the Union would soon be united again: He stated that "we should not despair of the Republic. My faith is strong, my confidence unlimited in the wisdom, performance, virtue, intelligence . . . of the

great map of the people." The President continued, "their ultimate decision will be uninfluenced by passion and prejudice engendered by the recent civil war, for the complete restoration of the Union, by the admission of loyal Senators and Representatives from all States to the respective Houses of the Congress of the United States."<sup>2</sup>

Throckmorton saw some validity in Reagan and Johnson's arguments. On October 31, he delivered an address to the state legislature which denied that ex-Confederates were preying on Unionists and freedmen and claimed that Federal troops were no longer needed in the interior of the state. The governor also suggested that the legislature pass a resolution pledging law and order without racial distinctions, and he urged the lawmakers to extend the witness provision to include blacks in all court cases. In an effort to strengthen his position, he submitted the letter that President Johnson sent to him the day before so that the legislators could read it for themselves. However, he stopped short of calling on the legislature to give suffrage rights to African Americans. Despite the governor's recommendations, the legislators were unwilling to give black Texans anything more than freedom: As a result, they refused to ratify the Fourteenth Amendment and instead decided to pass the infamous Black Codes, as

mentioned earlier, which severely limited the civil rights of black Texans.<sup>3</sup>

Soon after the legislature passed the Black Codes, state officials learned that Radical Republicans had swept the mid-term congressional election in November. The Republicans were now in a position to force the southern states to provide civil rights to the freedmen. The Radical Republican's success demoralized Throckmorton. In a lengthy letter to H. G. Hendricks, the governor prophetically stated "our political prospects are to my mind, quite gloomy. The Radicals have the majority [in the United States Congress] and from what we know of them, we cannot doubt they will use it. But there are some very powerful causes that will perhaps make them somewhat cautious." Throckmorton continued with the observation that "the safety and stability of the public debt in which their interests are much greater than ours, will perhaps keep them within bounds." However, Throckmorton understood that the South would experience changes. He stated, "I incline to the opinion that Hamilton and his especial friends, [Benjamin] Butler, [Nathaniel] Banks, and [Thaddeus] Stevens, will make a serious effort to destroy our State government," but the governor did hold out hope that "the more conservative among the leaders, [Horace]

Greeley, [James] Bennett, [Henry] Raymond, and [Henry] Beecher and those who agree with them, will not consent to this, and their influence will be thrown to sustain the President in his veto of any bill that the extremists might pass for this purpose."<sup>4</sup>

Throckmorton also commented to Hendricks on the probability that universal suffrage for the freedmen would soon become a reality: He stated that "Greeley, [William] Smith, Beecher, and some others are and have been all the while, in favor of universal suffrage and a general and full amnesty. I incline to the opinion that Chase and a number of the other prominent radical leaders are for this plan." The governor stated that he "believe[d] that many leading democrats in the North will side in the same way. They go upon the hypothesis that there will be no restoration, no peace, no stability of trade, no safety for the public debt, until a compromise is made." Throckmorton was convinced that "the Northern democracy [would] yield on the suffrage question for the purpose of getting the electoral vote of the South in the next presidential canvas. How far the President may be disposed to harmonize on this point, I am not able to judge. But I believe he will agree to advise the South to accept such terms, but standing firm upon his doctrine that the States have the

right to fix such qualifications as they may deem proper." Throckmorton also believed that "the proposed amendments will not be adopted by three-fourths of the States. And I do not believe the radicals will go so far as to contend that three-fourths of the States represented in Congress are competent, though this is their theory. But the truth is they prefer negro suffrage to those amendments. I am of the opinion that such will be the solution of our difficulties." For the governor the final question to be answered was whether "we will agree to accept this, or be afflicted with the Freedmen's bureau, and a semi-military government-and run the risk of losing our State organizations and the disfranchisement of the largest portion of our leading men to the extent of voting [or] holding office State or federal."<sup>5</sup>

In a letter to Charles R. Breedlove, Throckmorton contemplated the way southern states should vote regarding the issue of the suffrage amendment. He asked the rhetorical question, "Will enough of the Southern States vote for the suffrage amendment to the Constitution to carry it?" He then answered, "I believe they will. For instance: Kentucky, Maryland, and Delaware would, having nothing to loose except the principle, as there are not sufficient blacks in these States, for any risk to be run.

The same may be said of Missouri and Tennessee, and I think Arkansas and North Carolina, would also adopt it."

Throckmorton concluded, "the other southern states would run too much risk in being onslaughted by negro voters, unless such qualifications should be adopted as would exclude them and at the same time exclude many white citizens."<sup>6</sup> Without knowing it, Throckmorton had visualized a plan of disfranchisement that would become all too common in the New South of the 1890s and early 1900s.

Throughout December, Throckmorton continued to be consumed with the prospect that freedmen would be able to vote in Texas. The governor slowly began to frame his arguments against universal suffrage in a format that had served him well in the past: He claimed that Congress was going to coerce the South to accept black voting rights. Throckmorton wrote to Epperson that "if coercive measures are resorted to, if the best citizens are to be degraded by the laws of their country, if they are to be prescribed with a mark upon them, denied the same proud and high privileges . . . there can be no prosperity, no harmony, no restoration." He then warned that "the poor negro will be the greatest sufferers."<sup>7</sup>

The congressional victories of the Radical Republicans brought about rumors that Throckmorton might soon be

removed from the governor's office. He addressed these rumors in a letter to one of his long-time friends in Collin County, that "if it was not for the great injury that would result to the country, so far as I am concerned, I would be glad to be relieved from my position . . . it makes me sad to realize that I am not my own man, and cannot control my own actions but must continue [to be] the slave of the public."<sup>8</sup> Throckmorton even stated that he would resign his position, but he was afraid that a radical would replace him. Therefore, he believed that he had to remain in office for as long as possible in order to thwart the radical agenda.

Throckmorton also knew that his standing with military authorities was tenuous at best and that General Sheridan would welcome the governor's resignation. Writing to Charles R. Breedlove, the governor stated that "Sheridan . . . has some reason for making a lick at me. I have denounced his course in my correspondence to Washington. In one of my letters, I said that the great misfortune the south labored under was being cursed by military satraps, who had not the sense to appreciate the condition of the Country and whose hearts never had a patriotic emotion."<sup>9</sup> Assuming that Radicals in Congress would soon strengthen military rule in the South, Throckmorton attempted to

repair his reputation with General Sheridan and his subordinate officers by recognizing their authority in the state. Nevertheless, while Throckmorton believed it necessary to appease the military authorities, he still attempted to ensure the removal of federal troops from the interior of the state and to restore civil rule as soon as possible. Ultimately, it was these goals that led to Throckmorton's removal from office.

The governor's first opportunity to work more closely with the military came in December 1866, when troubles erupted in Prairie Lea, Caldwell County. A group of Unionists sent a memorial to the Freedmen's Bureau stating that whites were persecuting the freedmen in the community and requesting that the military come to their aid. At about the same time, W. C. Phillips wrote to the governor that whites frequently were intimidating, cheating and murdering black citizens.<sup>10</sup> Throckmorton immediately wrote to General Griffin who had replaced Heitzlman and asked him to investigate the reported atrocities taking place in Caldwell County.<sup>11</sup> The governor also sent a dispatch to the county judge in Caldwell County, stating that "information from various persons has convinced me of the necessity of asking from the military authorities assistance in maintaining laws in the neighborhood of Prairie Lea in your

county." Throckmorton continued, "I deem it just and proper that you should know of my request, not to take the administration of the law into their hands, but when called upon by the civil authorities to render assistance as may be necessary to insure the arrest and trial of offenders." The governor concluded, "I need not remind you of how much the good people of Texas suffer on account of the occasional acts of lawlessness of bad & vicious men. I sincerely trust you will impress upon the civil authorities, and upon your fellow citizens, the necessity of the laws-It must be done."<sup>12</sup>

Additionally, Throckmorton attempted to repair his reputation with the Freedmen's Bureau. During the temporary absence of General Kiddoo, William Sinclair contacted the governor about the ill treatment of a freedman accused of murder in the court of Wharton County. After receiving Sinclair's correspondence, Throckmorton dispatched a communication to the judge of the county, requesting him to check into the matter. Throckmorton informed the judge that Sinclair believed that "a freedman confined in jail for the killing of 'Jake' a freedman" was not "properly treated as a prisoner & c." Throckmorton then instructed the judge to make sure "that the prisoner receives such treatment as is contemplated by the law, and

the same given to white men under similar circumstances."<sup>13</sup> The extent of the governor's sincerity cannot be measured, but it seems likely that Throckmorton sent this letter with the knowledge that he could later use this incident to strengthen his argument that his administration was making an honest effort to protect the freedmen.

Despite Throckmorton's maneuvers to salvage his administration's reputation with Federal officials, events in early 1867 prevented the two sides from cooperating with one another. The Freedmen's Bureau continued to intervene in cases where civil officials failed to protect the rights of African Americans. As a result, Throckmorton appealed to Major General Griffin in several cases where local authorities accused bureau agents of making illegal arrests and of their refusal to obey the writs of habeas corpus issued by county judges. One such case involved the arrest of J. C. McCrary of McLennan County, Doctor John Bell of Bosque County, and a Dr. Irving of Milam County. According to the citizens in McLennan County, Lieutenant Manning, the subassistant agent for the county, arrested the men without informing the accused of the charges against them. Even though he was not familiar with the particulars of the case, Throckmorton immediately protested Lieutenant Manning's actions. Perhaps, if he had investigated the

case more closely, Throckmorton would not have sided so quickly with the accused supporters because the governor was politically astute enough to avoid confrontations that could not be won. Doctor Bell's crime was inexcusable: He had helped the other men castrate a young black boy living in McLennan County, alleging the youth attempted to rape a white woman.<sup>14</sup> This case undoubtedly jeopardized what little credibility Throckmorton had with the military authorities in Texas, especially General Griffin.

The commander of the District of Texas was outraged by the McLennan County case. As soon as his subordinates informed him of the castration of the young man, Griffin sent a letter to the governor. He stated that "I have directed with view to brining these parties to trial and it appearing that the civil authorities are unable to hold them." The general informed Throckmorton that the accused would be detained "by the sub agent of the Freedmen's Bureau, at Waco, Texas, until otherwise ordered from these Headquarters." Griffin concluded his letter with a stern warning: "If the civil courts are prepared to try this case and can be relied upon to give impartial justice, I will direct these citizens to be turned over to the proper civil officer of the state. If this negro boy cannot receive full justice, so far as the law is qualified to

give reparation for the great crime done him, and the parties guilty of the same punishment for their barbarity, I shall be obliged to take action as laid down in Sec. III of the Civil Rights Bill."<sup>15</sup> The incident apparently ended when Lieutenant Manning was order to consult with the prosecuting attorney of his district and to take the "proper measures and turn over Dr. Bell and [others] to the civil courts for trial."<sup>16</sup> Since the accused men were tried by a group of their peers, the results of the trial were predictable: The defendants were set free. The outcome infuriated and disgusted Manning to the point that General Griffin reassigned him in February 1867.<sup>17</sup>

By January 1867, General Sheridan had become increasingly concerned with the political conditions in Texas. As a result, he sent a scathing report to the War Department in Washington, D.C. The general questioned the legitimacy of Throckmorton's repeated request to have the military removed from the interior to the frontier counties. Sheridan reported that during the last six months of 1866, Indian depredations had indeed taken place on the frontier, but the extent of those raids was yet to be determined. The general theorized that the attacks were not very alarming and that the Texas governor was purposely exaggerating the reports to convince Federal authorities of

the necessity of stationing troops in the northern and western counties, and thereby improving the economic circumstances of the frontier population by providing them with army contracts for their crops and livestock. Additionally, Sheridan alleged that Throckmorton desired to remove troops from the interior as part of a plot to leave freedmen and Unionists defenseless against lawless ex-Confederates.<sup>18</sup>

As reports of violence continued to reach General Sheridan's office, he became more convinced that the freedmen and Unionists in Texas were in grave danger. Sheridan wrote to Throckmorton stating that "there are more casualties occurring from [ex-Confederate] outrages perpetrated upon Union men and freedmen in the interior of the state than occurs from Indian depredations on the frontier." Fearing that troops would remain in the interior of the state, Throckmorton assured Sheridan that many of the men who professed to be Unionists were actually criminals and sought the protection of the military from civil authorities by claiming to be persecuted for their political beliefs. In an effort to prove Sheridan's accusations false, Governor Throckmorton called on county judges to inform his office of the conditions of freedmen and Union men within their jurisdiction. The judges

universally replied that all citizens received justice before their courts, including secessionists, freedmen, and Unionists. The judges also stated that the crimes committed against the freedmen often were perpetrated by individuals who had drifted into their jurisdiction during and after the war. For example, the judge of Grayson County revealed that many foul murders had been committed in his county, but insisted that they were the work of a band of outlaws which resided across the Red River in the Indian Territory.<sup>19</sup> Throckmorton seemed assured that the crime rate in Texas was no worse than other states in the Union and claimed that the military's charges were basically groundless.

As late as February 12, Throckmorton felt that he had sufficiently appeased the Federal authorities enough to save his administration. In a letter to Richard B. Hubbard, the governor analyzed the circumstances confronting the state. He wrote that "we cannot refer to the past for a parallel by which to form a judgement as to our future. To your inquires I answer, 1<sup>st</sup>, I do not believe our present State government will be abolished, and territorial ones in place thereof be established." Throckmorton continued, "2<sup>nd</sup>, I believe negro suffrage will be forced upon us by Congressional action. 3<sup>rd</sup>, I do not

believe the Amnesty Proclamation of the President and the pardons granted thereunder will be declared null and void." The governor concluded, "4<sup>th</sup>, I do not believe any confiscation measure will pass. In regards to the 2<sup>nd</sup> proposition of negro suffrage I believe it is coming upon us in some shape. It is the very least of all the ills which we are threatened by the Radical majority in Congress."<sup>20</sup>

Governor Throckmorton's statements to Hubbard suggested that he underestimated Radical Congressmen's desire to reconstruct the southern states. On March 2, 1867, Congress claimed that President Johnson's plan for the South was essentially a failure and therefore passed the first of a series of Reconstruction Acts over the veto of the president. This act declared that no legal government existed in the southern states; that Congress planned to divide the South into five military districts, with Texas and Louisiana comprising the Fifth Military District; and that President Johnson should appoint an army officer to command each district. The acts further stated that the southern states would have to hold another constitutional convention and adopt a new state constitution which was in accordance with the U. S. Constitution. In addition, each state was required to

adopt the Fourteenth Amendment. When these requirements were met, the state could officially apply for readmission to the Union. General Sheridan who commanded the Department of the Gulf was appointed the commander of the Fifth Military district, and General Charles Griffin was made the Commander of the District of Texas.<sup>21</sup>

The Reconstruction Acts placed Throckmorton in an awkward situation: The laws provided that only loyal Union men could hold office or vote in elections. Thus, the governor and many of those in his administration did not qualify to hold office or the franchise. The laws also gave the military commanders more authority to carry out the Reconstruction policies of Congress. This naturally proved problematic for the governor considering he had obstructed the military's efforts in the months prior to the passage of the acts. Thus, Throckmorton realized that the military would now exercise greater control over the civil affairs of the state.<sup>22</sup>

Because the military's authority was strengthened in the southern states, Throckmorton redoubled his efforts to give the appearance of aiding the military's efforts to reconstruct the state. Thus, he seized the opportunity to aid the Freedmen's Bureau in investigating alleged crimes committed against freedmen in Marshall, Texas. The

governor wrote to the county judge in Harrison County, requesting an official report of any "violations of the rights of property or person of freedmen by the white race and any violation of law by freedmen upon freedmen." Throckmorton also requested that the judge send him "an official statement as to the correctness of the charge made by the agent that the civil authorities will not, and does not, act in cases of shooting & robbing, as in fact in any case of any imprudence unless the freedmen is the defendant, for fear of disfavor." Throckmorton concluded that "I trust civil authorities of your section will [make every effort] to punish crime of any shade and character, and if these charges are slanderous furnish me the evidence." This call for a report on the crimes against freedmen might have served the governor well had he not expressed his own biases in his letter to the Harrison County judge. Throckmorton stated that he did not "believe one word" of the bureau agent's reports concerning the criminal activity in the county.<sup>23</sup>

On the next day, Throckmorton reported to Major General Griffin about cases involving crimes against white Unionists and freedmen in Travis County. He stated that "I enclose you the response of the county [attorney] of Travis County to inquiries made by me in reference to the

freedmen, Edward Parsons & Mat Hewling, one of whom was wounded & the other killed, and reported to you by Capt. Porter from this place on the 18<sup>th</sup> December last." The governor then defended the civil officials in the county. He stated that "you will observe, General, that the civil authorities here done their duty in these cases."

Throckmorton informed Griffin what he believed to be the true nature of the criminal activities in Travis County. He wrote "I am familiar with all the facts in regards to the murder of Hewling. [The perpetrators of the crime] are noted robbers & murders and through my exertions, aided by the sheriff, Mr. Zimplerman of this county, in addition to the offence already named, are also confined for justification in the murder & robbery of Judge Doyle of Hill County." Furthermore, the governor revealed that "it was given out that Judge Doyle & his son were murdered & robbed because they were Union men when nothing could be further from the truth. The band who murdered them . . . are notorious scoundrels who have been fugitives from justice for a year past."<sup>24</sup>

Despite his attempts to reestablish the credibility of his administration, Throckmorton could not resist the opportunity to make an impolitic jab at the Freedmen's Bureau. The governor stated in his letter to Griffin that

"I am not aware that Capt Porter's fear of robbery of freedmen during Christmas week were realized, but I am aware of the facts that the robberies committed upon them the previous Christmas were made by U. S. Soldiers, and that the same class have repeated the offence frequently since, not only upon the freedmen, but upon the white persons also." Throckmorton then attempted to smooth over his comments by stating that "I do not mean this as any reflection upon the U.S. army, but I mention to show that Capt. Porter would have more fairly discharged his duty if he had stated that the soldiers were the parties who robbed freedmen."<sup>25</sup> It seems certain that these types of comments did little to improve relations between the civil and military authorities.

When Throckmorton first learned of Reconstruction Acts, he began to ponder the new circumstances confronting his state. In a letter to Ashbel Smith, the governor said that "it is certain to my mind that Texas cannot long delay action. If we do 25-50 or 100 or more radical and negroes will call a convention, adopt a constitution, elect officers & c." He continued, "We must make up our minds to this State of things, or we must act at once, and take the initiative, and produced concert of action, and energy as well, among our friends. Action under this military bill

is forced upon us, we do not adopt it as our action—we do not accept it as the best thing we can get, or approve it.” Nevertheless, Throckmorton stated that “it is forced upon us by a maddened and infuriated Congress, and put through by the bayonet. Therefore, as the house is burning, and the soldiery are around with bayonets and will not let us stop the fire, had we not better save what little they will allow us, instead of . . . standing by doing nothing, and permitting the flames to devour the women and children.” The governor concluded that “we must act, or the radicals and negroes will act, and when they make a constitution without hindrance, Tennessee and Missouri will be the example.”<sup>26</sup>

Apparently, the governor believed it would serve the state well if he continued his campaign to heal his relationship with the military. As a result, Throckmorton redoubled his efforts to establish more cordial relations with General Sheridan, now the Commander of the Fifth Military District. The governor sent a telegraph to the general on March 27, which asked for a conference with him to discuss how the civil authorities might cooperate more fully with the military in executing the newly passed Reconstruction Act. Sheridan sent a straight-forward reply that the civil authorities could assist in the

reorganization of the state only by rigorously supporting Charles Griffin and by advising the people of Texas to participate fully in the work of reorganizing their state.<sup>27</sup>

The governor also believed that it might prove beneficial to attempt to court black voters and attempt to align them with the Democratic party and thereby disrupt Radical Republicans' efforts to organize the black voters in Texas. In April 1867, he called on Jacob Raney and Anderson Scroggins, two black leaders in Texas, to meet with him and discuss the political situation of freedmen. At the conference, Throckmorton attempted to persuade the black leaders to move the freedmen into the conservative camp. The governor claimed that conservative Democrats were the true friends of the freedmen and that they were deeply concerned about the welfare of the state's black citizens. Throckmorton proposed that the freedmen should hold a rally and allow prominent conservative politicians, such as Judge John Hancock and Colonel George W. Carter, to speak to them. Also, Throckmorton suggested that the delegates at this rally should be given copies of his inaugural address and the acts of the Eleventh Legislature, so that they might see conservatives were sincerely concerned about the well being of the freedmen. Both Raney and Scroggins saw through the governor's ruse: Instead of

calling for a rally, they condemned the governor for his opposition to the franchise bill introduced in the Constitutional Convention of 1866, his approval of a school bill that excluded freed children from its provisions, his failure to prosecute outrages against Union men and blacks, and his opposition to Congressional Reconstruction.<sup>28</sup>

While attempting to gain the favor of the military and black leaders, problems continued to plague the Throckmorton administration. On April 26, General Griffin notified the governor that sixty Unionists in Jack and Parker counties had informed his office that the local courts were prosecuting Unionists cases where they had already been acquitted by the courts during Governor Hamilton's administration. In addition, the general charged that the courts failed to prosecute those individuals who murdered and robbed honest Union men in both counties. Griffin concluded by saying "such grave charges of maladministration if false should be disproved without delay; if true the remedy must be swift and effectual."<sup>29</sup> Throckmorton agreed with Griffin and wrote back to him:

In this sentiment I beg to concur most heartily. If the officers of the law are guilty, they should not only suffer the penalty of such guilt, but they should be removed from office as soon as

their guilt can be established. It is but simple and unadorned justice that they should have an opportunity to acquit themselves of the guilt charged—they now have that opportunity—should they fail to do so or should an investigation show the truth of the statement, the law has clothed the military with power and authority to make the remedy swift and effectual. I shall by no act of mine seek to smother investigation, screen guilt, or avert the blow where justice demands it should fall.<sup>30</sup>

On April 29, 1867, Throckmorton wrote John J. Good, judge of the Fifth Judicial District. He called the state official's attention to the charges levied against the courts in Parker and Jack counties and urged him to fully investigate the matter to determine the validity of the claims. Throckmorton wrote, "Should your investigation prove the truth of the dereliction of duty on the part of the officers of the state or county you will have them prosecuted to the full extent of the law." Then Throckmorton revealed his desire to restore law and order in the counties:

It is hardly necessary for me to impress upon you the absolute necessity that exists that all good law-abiding citizens of the country should unite in allying excitement and prejudice and that no ill feeling should be indulged in towards those of our fellow citizens who adhere to the general government during the war. I am aware of the fact from unquestioned information that there were persons adhering to the Confederate cause in Parker County who during the war committed many serious violations of the law—doubtless the same

has been true since the war—and while this is true I know it from equally good authority that persons in the same region who adhered to the general government have committed the same character of offences and it matters not who have been thus guilty they should be punished by the law.<sup>31</sup>

On the same day, the governor made it a point to write the county judge in Parker County. Not only did he enclose a copy of Griffin's communication in his correspondence, but Throckmorton also included a copy of the petition that the Unionists had sent to the District of Texas headquarters. The governor's intentions seemed clear: He wanted the judge to know exactly who the Unionists were in Parker County. Throckmorton stated that "the charges therein made against yourself and the county commissioners and other officers of the county—as well as citizens renders it but an act of justice that you should be made fully acquainted with them—the laws must be enforced and every person be prosecuted in person and property. If this cannot be done in your county, I shall deem it a duty to call upon the military and see that it is so."<sup>32</sup> It seems certain that Throckmorton endangered the lives of the Parker County Unionists by sending their petition to the county judge. At best his actions represented poor judgement. At worst, the governor sent the information knowing that the local officials would silence their

accusers.

Throckmorton continued to monitor the situation in Parker and Jack counties, and he eventually requested that Griffin send a small force of twenty-five soldiers under the command of an officer of discretion and good judgement to Parker County. The governor also continued to correspond with officials in the county reaffirming the sentiments that he had expressed in his letter to Judge Good.<sup>33</sup> As the events unfolded in Parker and Jack counties, Throckmorton began to realize his efforts to work with the military authorities was not producing any tangible result. Thus, the governor became less cooperative with Federal authorities.

At the same time he was working to solve problems in Parker and Jack counties, Throckmorton turned his attentions once again to Prairie Lea, Caldwell County. Following the initial troubles in Caldwell County and Throckmorton's request that Federal troops be stationed there to protect the freedmen, General Griffin sent First Lieutenant S. C. Plummer to the scene with a small contingent of men. While stationed there, Plummer reported to Griffin that the whites were orderly and that his only opposition came from a disgruntled freedman, whom he gunned down.<sup>34</sup>

However, evidence suggest that conditions in Caldwell County were not as calm as Plummer had reported to Griffin, and the military had indeed run into conflict with whites. Throckmorton realized that events in Prairie Lea presented him with an opportunity to embarrass the military. He wrote to John Ireland, a district judge whose region included Caldwell County, that "yesterday I wrote to Genrl. H. E. McCulloch and requested him to see you and confer with you in regard to getting up all the facts in relation to Lt. Plummer's proceedings at Prairie Lea in ordering off the citizens of that vicinity and as to the death and killing of Burns [a freedman]." Throckmorton continued to inform Judge Ireland that he wanted "sworn statements as to Hoppler's [who had been ordered off his land] character- also any facts that will go to prove the bad character or good conduct of Plummer. The sworn statement of any facts that will show the true state of the case relating to the death of Burns." Throckmorton concluded by stating that "it strikes me that Plammer and his men who killed Burns should be indicted for murder-if the facts warrant such a conclusion, but as a matter of course this depends upon the facts." Throckmorton made clear that he "would try and expose all the villainy they [radicals and Federal troops] commit, though it may cause my removal-therefore any

information in regard to affairs at Prairie Lea, I desire."<sup>35</sup>

Additionally, the governor became engaged in more disagreements with the military authorities. Nowhere was this more evident than in the Huntsville prison controversy. In early 1867, General William H. Sinclair visited the state prison and reported to General Griffin that nearly three-fourths of the black convicts were unjustly imprisoned. Sinclair revealed that one black prisoner had received a two-year sentence for the theft of a single dollar. In all, the general reported 209 such cases. General Griffin requested that Governor Throckmorton investigate the unjust imprisonment of African Americans and when appropriate issue pardons. The governor flatly refused. Although most of the prisoners in question eventually received pardons or at least reduced sentences, the prison controversy illustrated the conflict which existed between the military and civil authorities. The military clearly was attempting to enact equitable social reforms, which the civil government and the majority of white Texans were not willing to accept.<sup>36</sup>

In late March, the military authorities began to carry out the dictates of Congressional Reconstruction. On March 28, General Griffin began the process of reorganizing the

state government and registering voters. He requested that the governor supply his office with a list of the counties and county seats. Throckmorton complied with Griffin's request and offered to help aid the general in his task of reorganizing the state.<sup>37</sup>

On April 3, the governor wrote to Griffin to inquire if the new reconstruction law allowed him to appoint individuals to vacancies in the state and county offices, or whether he should call for elections to fill the positions. Unsure of how these vacancies should be filled, Griffin forwarded Throckmorton's inquiry to General Sheridan, who in turn informed the governor that he could neither make appoints nor call for elections. Furthermore, Sheridan revealed that Congress had taken the power of calling for elections and making appointments away from the civil authorities and placed those duties in the hands of the military commanders.<sup>38</sup>

On April 4, Griffin continued his efforts to register loyal voters in the state, requesting the governor to furnish his office with a list of all men, irrespective of color, who could qualify to act as voter registers. These men had to be able to pass the oath of office as prescribed by Congress on July 2, 1862.<sup>39</sup> Four days later, Throckmorton issued a circular address to the county judges

asking them to furnish him with a list that would fulfill Griffin's request.<sup>40</sup> The judges apparently completed their task in a timely fashion, and Throckmorton promptly forwarded their reports to General Griffin. The governor took pride in the fact that the local judges had quickly complied with his request, and he commented to the general "I respectfully invite your attention to the promptitude of this action of the county judges, and especially to the spirit manifested to observe the law and aid in its executions."<sup>41</sup>

Despite the prompt actions of the governor and the local judges, Griffin distrusted the true motives of Texas officials. On March 28, the Texas commander wrote to Sheridan that none of the civil officers in the state were trustworthy. He pointed out that Throckmorton was unwilling to punish individuals who committed crimes against Union men and freedmen. As a result of the governor's inability to carry out the laws of the state, General Griffin recommended that Throckmorton, as well as members of his administration, should be removed from office and replaced with good Union men. On April 2, General Sheridan wrote to his superior General U. S. Grant that he believed Griffin was correct in his assessment of the Texas officials and that he agreed that many of the

state officials should be removed from public office. Grant promptly replied to the commander of the Fifth Military District that no elected officials should be removed from office because there were still legal questions about whether or not the military had the authority to take such actions.<sup>42</sup>

On April 22 and 24, Throckmorton transmitted to Griffin a list of people who qualified to serve as the assessor and collector of taxes for Bastrop and Comanche counties and also a list of citizens who had taken the loyalty oath. The general promptly returned the applications to the governor with a message that stated "daily applications are made to me by many, and you have recommended so many persons as qualified to take the oath as registrants that I am disinclined and have decided not to appoint any to vacancies, who cannot take the oath of July, 1862." Throckmorton replied to the commanding general that he had made no recommendations and that his intention was merely to aid the general in his task of reorganizing the state. This incident clearly illustrated the growing divide between the Throckmorton's administration and the military authorities.<sup>43</sup>

On April 27, the next controversy between the civil and military officials centered upon General Griffin's

Circular Order No. 13, also known as the Jury Order. It stated that only those individuals who had taken the iron-clad oath, which claimed that an individual had never borne arms against the United States or supported the Confederacy in any way, were allowed to serve as jurors in the civil courts of Texas. Additionally, the order reaffirmed that loyal citizens should not be excluded from the jury box on account of color. Griffin instructed Governor Throckmorton to distribute the copies of the order to the county judges and to see that they were enforced. The general hoped that juries would soon be filled with loyal Union men and that they would be able to protect radicals and freedmen in the local courts. It seems certain that Throckmorton did not share Griffin's enthusiasm for giving Radical Republicans and freedmen the unrestricted right to serve on juries. More likely, the governor shared the same view as the editor of the *Galveston Daily News*, who stated that it "would be [better] to leave the active duties of the government, political and judicial, in the hands of the white race . . . [and] it would be much the better plan to give the negroes, for the present, no more rights than they now enjoy."<sup>44</sup>

The governor complied with Griffin's order but sent a communication to President Johnson expressing concern over

the matter.<sup>45</sup> The state's chief executive promised the President that the jury order would be properly executed if it was found to be constitutional. Furthermore, he made the case that "federal judges holding courts of the United States for this state have ruled the petit jurors of their court are not required to take the oath contained in the order referred to." In addition, Throckmorton expressed the belief that the execution of the order would result in the confusion and demoralization of the state's court system.<sup>46</sup> Perhaps hoping to intimidate Griffin into rescinding his order, Throckmorton sent the general a copy of his letter to the President.<sup>47</sup> However, it is likely that the governor's letter only served to widen the rift between his administration and the military commanders.

Just as Throckmorton predicted, the courts found it difficult to function under Circular Order No. 13. Judge Good could not hold court in Parker County. He succeeded in getting one petit juror in Tarrant County and a few in Dallas County. Judge Harrison failed to organize a jury for Coryell County. In McLennan County, he was more successful, compiling a jury of both black and white citizens. Reacting to citizen complaints, General Griffin requested that Throckmorton send him a list of the judges who could not organize their courts under the Jury Order:

Throckmorton smugly replied that he had no accurate and complete information concerning the matter, which undoubtedly served to raise the ire and suspicions of the general.<sup>48</sup>

Throckmorton was not oblivious to General Sheridan and Griffin's disdain for him and his government. Since he had written many unflattering letters to Sheridan and Griffin's superiors often referring to them as "military satraps," the governor clearly understood his position with the commanders was tenuous at best.<sup>49</sup> There is little doubt that the governor's comments as well as his obstructive acts led the military commanders to renew their efforts to remove the state's chief executive.

Benjamin Epperson, who was in still in Washington, D.C., wrote to Throckmorton warning him that he was in political danger. He informed his friend that Sheridan had demonstrated his power to strike at top public officials by removing Governor James M. Wells of Louisiana from office. Epperson felt that a lack of public outcry concerning Sheridan's removal of the Louisiana governor ensured that Throckmorton would experience a similar fate.<sup>50</sup>

Epperson's fears proved well founded because on July 25, Sheridan wrote to Grant again, stating that the crime rate in Texas was up and that Throckmorton was partly

responsible for the atrocities committed against the freedmen and their white allies. Furthermore, the general stated that the governor had obstructed the ability of the military to maintain peace in the state and had remained an obstacle to black suffrage. As a result, Sheridan stated that Throckmorton's removal from office was absolutely necessary if the freedmen's political rights were to be protected.<sup>51</sup>

With the passing of summer of 1867, it became evident that Throckmorton would be removed from office. On July 19, a second supplementary reconstruction act became law. The new law gave military commanders of the military districts in the South full power to remove uncooperative state and local officials from office. The way was now legally clear for the governor's removal. On July 30, General Sheridan issued Special Order No. 105 ending Governor Throckmorton's term as governor after less than a year in office.<sup>52</sup> Sheridan sent the governor the following message:

A careful consideration of the reports of Brevet Major General Charles Griffin, United States army, shows that J. W. Throckmorton, Governor of Texas, is an impediment to the reconstruction of that state under the law; he is thereby removed from that office. E. M. Pease is hereby appointed in place of J. W. Throckmorton, removed. He will be obeyed and respected accordingly.<sup>53</sup>

Thus, Throckmorton's term as governor of the Lone Star State came to an abrupt end. The governor's inability to accept the freedmen as the equal of the white men, and his repeated attempts to obstruct the military's efforts to carry out the Reconstruction Acts led to his political downfall. His views toward Reconstruction policy had caused him to side against white Unionists who supported the Radical Republicans' agenda of providing civil rights to American Americans. The North Texan could not bring himself to support even the moderate position of E. M. Pease who called for limited suffrage rights for the freedmen. The ex-governor believed that the radical Unionists' position would eventually lead to equal rights for blacks and would provide them the necessary mobility to move in mass toward the northern region of Texas.

Throckmorton, however, did not go quietly into the night: As stated in a letter to Epperson, he announced his intention "to fire a few shots that will place the military in their true light, and show the condition of affairs in Texas."<sup>54</sup> The deposed governor immediately prepared an "Address to the People of Texas," which reviewed his relations with the military authorities and refuted the charges that he was an impediment to Reconstruction. The

former governor wrote that he had exhibited every effort to follow Federal laws, had aided General Sheridan and his subordinates in Texas, and had maintained peace in the state. Furthermore, he declared that the military had interfered with the civil courts and juries. Throckmorton claimed that the actions of the military had thrown civil administration of the state into disorder and had aroused bitterness and apprehension in the hearts of the people. Despite the vitriolic commentary toward the military, Throckmorton concluded his address by advising the people to abide by the laws, to be kind to the freedmen, to refute by their conduct the Radical charges of disloyalty, to register if allowed to do so, and to elect good conservative men to office.<sup>55</sup>

Back in his Collin County home, the ex-governor could take some comfort that his administration was unofficially exonerated by President Johnson. During an interview, a reporter asked the president if he believed Throckmorton "had attempted to thwart the General in a proper execution of the law?" Johnson answered, "No sir, the records prove the reverse. The Governor of Texas also placed the whole machinery of his State at the disposal of the military power, and aided in every way possible, except in the manufacturing of a Radical majority of voters, and in

securing negro supremacy."<sup>56</sup> If Johnson's comments were not enough to please Throckmorton, it is certain the ex-governor took satisfaction that the President relieved General Sheridan as commander of the Fifth Military District in mid-August.<sup>57</sup>

While the President's comments reveal more about his own bitterness toward the Radical Republicans in Congress than the realities of the deposed governor's political actions in Texas, it does reveal an important aspect of the ex-governor's removal from office. Like President Johnson, Throckmorton's racial biases toward the freedmen and his unwillingness to accept Congressional Reconstruction ultimately led to his removal from office.<sup>58</sup>

## Endnotes

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11. Brevet Major General Heitzlman to Throckmorton, December 1, 1866. Records of James Throckmorton. TOG/AD/TSL.
12. Throckmorton to the Judge of the County Court of Caldwell County, Texas, December 19, 1866. James W. Throckmorton Collection, 1838-1888. CAH; Elliott, *Leathercoat*, 157-58.
13. William Sinclair to Throckmorton, January 17, 1867. Records of James Throckmorton. TOG/AD/TSL; Throckmorton to Judge of the County Court of Wharton County, January 28, 1867. James W. Throckmorton Collection, 1838-1888. CAH.
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15. Brevet Major General Griffin to Throckmorton, January 28, 1867. Records of James Throckmorton. TOG/AD/TSL.

16. First Lieutenant Kirkman to Manning, February 7, 1866. Records of James Throckmorton. TOG/AD/TSL.

17. Richter, *Overreached on All Sides*, 170; Randolph B. Campbell, *Grass-Roots Reconstruction in Texas*, 170-71.

18. McCaslin, *Tainted Breeze*, 173-74; Holbert, "The Public Career of James Webb Throckmorton," 104.

19. McCaslin, *Tainted Breeze*, 173-74; Holbert, "The Public Career of James Webb Throckmorton," 104-105; Elliott, *Leathercoat*, 158-59.

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23. Throckmorton to County Judge in Marshall, Harrison County, March 4, 1867. James W. Throckmorton Collection, 1838-1888. CAH.

24. Wheeler (County Attorney) to Throckmorton, March 1, 1867. Records of James Throckmorton. TOG/AD/TSL; Throckmorton to Maj. Genl. Griffin, March 5, 1867. James W. Throckmorton Collection, 1838-1888. CAH.

25. Throckmorton to Maj. Genl. Griffin, March 5, 1867. James W. Throckmorton Collection, 1838-1888. CAH.

26. Throckmorton to Ashbel Smith, March 11, 1867. Throckmorton (J. W.) Letter Book. CAH.

27. Major General Sheridan to Throckmorton, March 29, 1867. Records of James Throckmorton. TOG/AD/TSL; Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 285-86; Holbert, "The Public Career of James Webb Throckmorton," 106-107.

28. Jacob Raney to J. W. Throckmorton, May 3, 1867. James W. Throckmorton's Collection, 1838-1888. CAH; *New York Times*, May 25, 1867; Moneyhon, *Republicanism in Reconstruction Texas*, 64.
29. Brevet Major General Griffin, April 26, 1867. Records of James Throckmorton. TOG/AD/TSL; McCaslin, *Tainted Breeze*, 176-77.
30. Governor Throckmorton reply to General Griffin as quoted in Elliott, *Leathercoat*, 162.
31. Throckmorton to Hon. Jno. Good, April 29, 1867. Throckmorton (J. W.) Letter Book. CAH.
32. Throckmorton to County Judge Parker County, April 29, 1867. Throckmorton (J. W.) Letter Book. CAH.
33. A. J. Hunter to Throckmorton, May 24, 1867. Records of James Throckmorton. TOG/AD/TSL. Hunter's communication to the governor give a general perspective of the events in the county from the local authorities perspective.
34. Richter, *Overreached on All Sides*, 160.
35. Throckmorton to Hon. Jno. Ireland, April 30, 1867. Throckmorton (J. W.) Letter Book. CAH; Second Lieutenant H. C. Peterson to First Lieutenant S. C. Plummer, March 31, 1867. Records of James Throckmorton. TOG/AD/TSL.
36. Richter, *The Army in Texas During Reconstruction*, 84-85; Chapin, "Presidential Reconstruction in Texas," 123-24.
37. Holbert, "The Public Career of James Webb Throckmorton," 107-109.
38. Brevet Major General Griffin to Throckmorton, May 4, 1867. Records of James Throckmorton. TOG/AD/TSL; Holbert, "The Public Career of James Webb Throckmorton," 107-109; Elliott, *Leathercoat*, 170.
39. Brevet Major General Griffin to Throckmorton, April 4, 1867. Records of James Throckmorton. TOG/AD/TSL; *Dallas Herald*, April 20, 1867.
40. Throckmorton to the County Judge of \_\_\_\_\_ County," April 8, 1867. Throckmorton (J. W.) Letter Book. CAH; *Dallas Herald*, April 20, 1867; Elliott, *Leathercoat*, 171.
41. Holbert, "The Public Career of James Webb Throckmorton," 109.
42. William L. Richter, "Tyrant and Reformer: Charles Griffin Reconstructs Texas, 1865-66," *Prologue* 10 (1978): 232; Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 287; Baggett, "The Rise and Fall of the Texas Radicals," 72-73; Moneyhon, *Republicanism in Reconstruction Texas*, 68; Chapin, "Presidential Reconstruction in Texas," 142-43; Elliott, *Leathercoat*, 171.

43. Holbert, "The Public Career of James Webb Throckmorton," 109.
44. *Galveston Daily News*, May, 3, 1867; Richter, "Tyrant and Reformer," 233-34; McCaslin, *Tainted Breeze*, 177. Richter's work contains a solid overview of Circular Order No. 13.
45. *New York Times*, May 15, 1867; Throckmorton to Judge of \_\_\_\_\_, May 2, 1867. Throckmorton (J. W.) Letter Book. CAH; Randolph B. Campbell, "The District Judges of Texas, 369. Throckmorton's letter to judges was sent to county judges throughout the state.
46. Throckmorton to President Andrew Johnson, May 2, 1867. Throckmorton (J. W.) Letter Book. CAH.
47. Holbert, "The Public Career of James Webb Throckmorton," 110.
48. *Ibid.*, 111.
49. Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 279; Elliott, *Leathercoat*, 173.
50. Thomas Brown to Throckmorton, May 5, 1867. James Webb Throckmorton Papers, 1857-1940. MC/AD/TSL; Holbert, "The Public Career of James Webb Throckmorton," 114-15. Brown's letter reaffirms Epperson's position that Throckmorton is in political trouble and will undoubtedly be removed from office.
51. Chapin, "Presidential Reconstruction in Texas," 143-44.
52. *New York Times*, August 1, 1867; Morris, *Sheridan: The Life and Wars of General Phil Sheridan*, 292; Moneyhon, *Republicanism in Reconstruction Texas*, 68; Holbert, "The Public Career of James Webb Throckmorton," 116; Massey, "A History of Collin County," 74; Chapin, "Presidential Reconstruction in Texas," 144; Hale, "Political Leadership in Texas During Reconstruction," 24; Gray, "Edmund J. Davis," 103.
53. Special Order No. 105, July 30, 1867. James W. Throckmorton Collection, 1838-1888. CAH; *New York Times*, July 31, 1867.
54. Throckmorton to Epperson, July 31, 1867. James W. Throckmorton Collection, 1838-1888. CAH.
55. *Dallas Herald*, August 24, 1867; Holbert, "The Public Career of James Webb Throckmorton," 116-17; Ramsdell, *Reconstruction in Texas*, 170; William L. Richter, "General Phil Sheridan, The Historians, and Reconstruction," *Civil War History* 33 (1987): 147. The "Address to the People of Texas" printed in the *Dallas Herald* reprinted much of the correspondence between Throckmorton and the military authorities, especially General Griffin and General Sheridan.
56. *Dallas Herald*, September 28, 1867.
57. Richter, *The Army in Texas During Reconstruction*, 113-14.

58. *Dallas Herald*, October 5, 1867. A complete summary of Throckmorton's administration is found in this issue of the *Dallas Herald*.

## CHAPTER IX

FUELING THE FIRES OF REDEMPTION: THE STRUGGLE  
TO BRING DOWN RADICAL RULE IN TEXAS, 1867-1873

Once he was removed from office, Throckmorton returned home and resumed his law practice. However, the ex-governor soon found himself drawn back into the political arena. Believing that Sheridan with the aid of Radical Republicans in Congress unjustly removed him from office, the North Texas politician began to seek ways to oust the radicals from state and local offices. Because he was barred from holding political office, Throckmorton now had to work behind the scenes to achieve his political objectives. By the end of 1867, Throckmorton was committed to aiding the Democratic party's efforts to reclaim control of the state. In part, his motivation was fueled by racism. In a letter to Epperson concerning economic and railroad development in Texas, Throckmorton stated that "our political condition must be vastly mended before capital will venture here, and if the State should be turned over to the ignorance & insolence of the negro race and radical hatred and vengeance it never will come."<sup>1</sup> The ex-governor's hurt pride and his disdain for African Americans led him to oppose Radical Republicans in the

state. The North Texan's opposition guided him to take an active role in both local and state politics between 1867 and 1876.

Throckmorton's first opportunity to challenge radical rule came in September 1867. According to the Reconstruction Act of March 23, 1867, the commanding officers of the Fifth Military District had to carry out two tasks: First, they had to register all qualified voters in their districts. General Griffin had successfully completed this chore in Texas during the summer and early fall of 1867. Second, once the qualification and registration of voters was completed, the military authorities and provisional state government had to call for a statewide election to decide whether or not the state should convene a constitutional convention to write a new state constitution which conformed to the dictates of Congressional Reconstruction. This element of the Reconstruction Act was not yet fulfilled in Texas. The delay in calling for the county elections resulted from the changes in command that occurred in the Fifth Military District during August and September 1867. President Johnson replaced General Philip Sheridan with General W. S. Hancock on August 27, and General Griffin, who died of yellow fever on September 15, was replaced with General

Joseph J. Reynolds. The reorganization of military command took several weeks to complete and presented conservative Democrats, including Throckmorton, with the opportunity to defeat the call for a new constitutional convention. If they could successfully defeat the call for a convention, the Constitution of 1866 would remain in place.<sup>2</sup>

Throckmorton led the conservative charge. His personal political misfortune and his belief in white superiority motivated him to assume a leadership role in the effort to thwart radical attempts to reorganize the state government. The ex-governor claimed that Radical Republicans had perpetrated a great injustice to Texas by removing elected officials from statewide offices and by replacing them with loyal Union men. Also, Throckmorton was disturbed with the methods that Federal authorities used in registering voters. The *New York Times* reported that "Throckmorton . . . opposes the holding of a Convention under the terms of the military reconstruction bills. He expresses regret at the apathy and indifference of the people, saying that they have scarcely heeded the last act of Congress, and the arbitrary manner of the Administration of the recent acts by the military authorities." The *Times* quoted Throckmorton as saying "the impertinence and outrages of the county Boards of

Registration pass by unheeded; with scarcely a remark made concerning them, they are sunk into insignificance in consequence of the highhanded outrages of Sheridan and Griffin." Throckmorton continued, "the recent instructions of the latter, which ought to have filled the whole State with a howl of indignation, have scarcely received a comment or passing notice."<sup>3</sup>

Because the Reconstruction Act of March 23 stipulated that individuals who had held executive or judicial offices in the state during the war were no longer qualified to vote, the North Texan claimed that many of the state's most able politicians were unfairly barred from holding office or voting in elections. Throckmorton was also irritated because the radicals supported unrestricted suffrage rights for African Americans. Thus, the former governor believed that a constitutional convention would result in a state constitution which would elevate the freedmen to an equal status with white men. In addition, Throckmorton believed that disenfranchised ex-Confederates might never regain the right to vote or hold state office. As a result, he began a relentless assault against the radicals' efforts to call a constitutional convention.<sup>4</sup>

Despite the advice of friends to remain aloof from public life, Throckmorton could not refrain from entering

the political fray. He engaged in a letter writing campaign to editors of leading state newspapers expressing his opposition to a constitutional convention. Generally speaking, his letters expressed the same sentiments that he had conveyed before: He called on conservative voters to defeat the convention by staying away from the polls. If voters refused to abstain from voting, the ex-governor believed that they should at least vote against any constitution that provided suffrage rights to the freedmen. On December 18, General Hancock, now in command of the Fifth Military District, issued the order for county elections to be held in February 1868 to vote on the proposed constitutional convention. Hancock also instructed the election officials in the counties to elect delegates to the constitutional convention in case it was approved by a majority of the voters statewide. In addition, the general stipulated that the registry lists of voters should be reopened and revised during the first five days of January. The order to register new voters made conservative politicians panic as they feared most of the added voters would favor the radical agenda.<sup>5</sup>

Many conservatives believed Throckmorton's plan of defeating the convention by staying away from the polls was risky. The North Texan's plan assumed that conservative

voters represented a majority of registered voters in Texas. Thus, if the county elections did not have a plurality of registered voters casting ballots, the convention could not be legally convened. As long as the conservatives represented a majority of the registered voters in Texas, Throckmorton's plan could effectively block a call for a constitutional convention. However, conservative leaders became increasingly alarmed that the absence of Democrats from the election would ensure a radical victory. As a result, the leading conservatives called for a conference to meet at Houston on January 20, 1868, to discuss new strategies for thwarting the radicals' plan to write a new state constitution. Throckmorton did not attend the conference and disagreed with the actions of his political colleagues. He deemed that there was not enough time to enact any new plan to defeat the constitutional convention. When the conservative conference convened in Houston, only twenty counties were represented. The conference adjourned after a relatively brief session, but its members issued a lengthy resolution that called on white conservatives to cast ballots in the upcoming elections. Because the county voters were required to vote for delegates to the constitutional convention during the same election, the Houston conferees

suggested electing delegates who would support creating a new constitution that would obstruct radicals' attempt to give freedmen suffrage rights. The Houston plan proved to be an ultimate failure. In fact, the strategy influenced enough conservatives to go to the polls to give the election a plurality which ensured that the state would hold a constitutional convention.<sup>6</sup>

The election was held in February, and radicals were overwhelmingly victorious: The results indicated that 44,689 voters approved the constitutional convention and 11,440 opposed it. Ironically, if the conservatives had followed Throckmorton's advice, it is likely that the call of a convention would not have passed. The total number of registered voters casting ballot in the election numbered 56,129. The number of register voters who did not cast ballots in the election was 52,964. Thus, 51.5% of the registered electorate participated in the election. If 1,583 of the voters against the convention had remained at home, the election would not have had a plurality and the call for a constitutional convention would have failed.<sup>7</sup>

The constitutional convention convened on June 1, 1868, and quickly organized. Delegates elected Edmund J. Davis, a noted Texas radical who fought in the Union army during the war, as president of the convention. While most

of the delegates were members of the Republican party, they were divided along ideological and sectional lines. Generally speaking, delegates were divided into four groups: Provisional Governor Pease and Andrew Jackson Hamilton led one group which was closely identified with the interest of conservative Republicans. Another contingent of delegates was led by A. J. Hamilton's brother, Morgan Hamilton, and E. J. Davis and represented the interest of the counties in the central and southern regions of the state. Another faction of Republicans was headed by J. W. Flanagan and represented the interest of East Texas. Finally, George T. Ruby led a group of delegates who supported the rights of African Americans. Throughout the convention, these various factions formed shifting alliances which changed as the convention debated specific issues. However, the Republican contingents tended to remain loyal to their sectional interest.<sup>8</sup>

The first issues addressed by the convention did not concern the creation of a new constitution; rather, the delegates debated the *ab initio* question, civil rights for freedmen, the viability of dividing the state into three new states, and the permanent disfranchisement of ex-Confederates. The *ab initio* issue was the first major issue before the convention. The issue was supported by

Morgan Hamilton and George Ruby's factions but was opposed by Pease and Flanagan's supporters. The primary concern about the question for Hamilton and Ruby was the fact that the Texas legislature during the last year of the war had allowed the railroad companies to use worthless Confederate notes to pay part of the one million dollars in interest they owed on the two million they had borrowed from the state's school fund between 1858 and 1861. Hamilton argued that the debt should be paid back in full with U. S. currency. Though he based his argument on the need to replenish the school fund, Hamilton also hoped to use the money for future railroad development in West Texas. Ruby's support seemed more noble: He was more concerned with strengthening the school fund which could be used to educate African American children. Likewise, the Pease and Flanagan's factions differed on the *ab initio* question. Pease supporters claimed that the motives of *ab initio* adherents were based on selfish interests and did not represent the interest of the state. Flanagan's bloc sought to protect the major railroads built in East Texas, including those that had made interest payments during the war. In the end, the divisions in the Republican convention prevented the passage of *ab initio*, and the issue was finally tabled so the members could address other

matters. However, the delegates found it just as difficult to work together on other questions: In regards to providing social equality to the freedmen, the members of the convention only agreed to recognize the equality of all persons under the law, which offered the freedmen no more protection than they had prior to the convention. Likewise, the delegates were divided over the disenfranchisement of white voters who could not pass the loyalty oath.<sup>9</sup>

For three months, the members of the convention diligently worked on several critical issues, but made little notable progress. By mid-August, they had yet to draft a new constitution, and with the passing of each month, the political conditions in the state continued to deteriorate. As a result, several of the delegates called on their colleagues to adjourn the convention until after the 1868 Federal election and the newly elected Congress had convened. Republicans primarily wanted to adjourn the convention because ex-Confederates were engaged in widespread violence against white Republicans and freedmen, a development that illustrated the need for congressional intervention to sustain their efforts in reorganizing the state government. Therefore, the delegates adjourned, agreeing to reconvene on December 7.<sup>10</sup>

When the convention met in December, it soon became evident that the divisions of the previous session were even more entrenched, and the delegates once again found themselves bogged down over the issue of permanently disenfranchising the ex-Confederates. Also, the attendees reached a stalemate over a proposed plan to divide Texas into three additional states. After reaching an impasse on the issue of dividing the state, the delegates deferred the matter to Congress. On the issue of white disenfranchisement, conservative Republicans banded together and passed a resolution which granted all men in the state the right to vote except those specifically disqualified by the United States Constitution. While both of these issues created a wider rift among Republican leaders, delegates were able to draft a new state constitution and call for a referendum to be held on the first Monday in July 1869. Texas voters would vote on the adoption of the Republican constitution and would elect a new slate of state officers.<sup>11</sup>

Following the adjournment of the convention, the Republican party became divided into two well-defined camps. Provisional governor Pease and his close ally A. J. Hamilton were the leaders of the conservative element of their party. This faction lost the support of black

members during the course of the convention because African Americans believed that the conservative leaders had taken positions which failed to guarantee black equality. Thus, the conservative Republicans were forced to explore alternative sources of political support in order to maintain a position of influence in state politics. As a result, conservative Republicans became more open to the idea of working with conservative Democrats. In contrast to the conservative element, Radical Republicans consisted of a coalition of black and West Texans. To achieve their objectives, West Texas radicals were willing to support social equality for the freedmen. However, black support proved to be a double-edged sword: Racial biases made it difficult for radicals to attract white voters to their causes. Finally, Republicans from East Texas, including J. W. Flanagan, remained uncommitted to either the conservative or radical factions of their party. This element of the Republican party had differences with the conservatives over internal improvements in the state, especially railroad development, and their racial prejudice made it unlikely that they would support the radical's agenda. They decided to remain in the shadows, waiting to see how events developed after the upcoming election before aligning themselves with either faction in their party.<sup>12</sup>

Immediately following the convention, a controversy ensued over the date of the forthcoming state election. Radicals were enraged because the elections were scheduled to be held in July, rather than in November when Texas elections had normally occurred. Apparently, radicals were not satisfied with the results of the constitutional convention and were afraid it would be adopted. One of their primary concerns was that radicals would be deprived of state offices in future elections, especially since the proposed constitution prevented the widespread disenfranchisement of ex-Confederates. The radicals were relieved when President Grant, who had won the Presidential election of 1868, ordered the postponement of the election until November 30, 1869.<sup>13</sup>

While the Republicans worked through their differences in the constitutional convention, Texas Democrats prepared for the Federal elections of 1868 and the state elections which they assumed would follow the adjournment of the constitutional convention. On May 18, 1868, they met in the Democratic State Executive Committee at Austin. The following day, committee members announced the names of the delegates who were appointed to represent the Texas Democratic party at the National Democratic Convention in New York on July 4, 1868. The delegates included Benjamin

Epperson, Ashbel Smith, S. Powers, and Gustave Schleicher. The committee members also named Throckmorton as one of four alternate delegates. Furthermore, the committee called on conservatives from both political parties to meet in Bryan, Brazos County, on July 7.<sup>14</sup>

Conservative Democrats and Republicans attended the called meeting in Bryan, and they chose Throckmorton to preside over the gathering. After attending to issues related to the upcoming national election, the attendees turned their attention to state affairs. Since many of the ex-Confederate Democrats remained disenfranchised, the delegates conceded that it would be impossible for a Democratic candidate to win a major state office. Thus, they agreed not to field any candidates in the upcoming state elections. Instead, the delegates decided to support a representative of the conservative faction of the Republican party. However, the Bryan convention did produce a conservative platform which was created by a committee of both moderate Republicans and Democrats. The platform called for more effective cooperation between the state and national Democratic parties in order to escape disfranchisement, black supremacy, degradation and ruin threatened by Radical Republicans. It also declared slavery and secession dead issues and pledged the

allegiance of Texas to the Federal government and the United States Constitution. At the close of the convention, Throckmorton addressed the delegates, denounced the radicals, and urged the conservatives to mount a united front against them.<sup>15</sup> One of the primary concerns for Throckmorton seemed to be the radicals' willingness to allow African Americans the right to vote and participate in state politics.

After the Bryan convention, Throckmorton and Epperson returned to their homes in North Texas. The duo arrived in Dallas on the evening of July 18 and addressed a crowd that had gathered to hear the latest news regarding the outcome of the conservative meeting. The ex-governor once again denounced the military authorities and urged conservatives to band together against the radical leadership of the Republican party.<sup>16</sup> In the days that followed, Throckmorton made numerous stump speeches against radicals. His speeches consistently criticized the new constitution, but he also argued that conservatives should vote to approve it. The North Texan clarified his position by stating that conservatives should support the constitution because the radicals were opposed to it. Furthermore, he believed the adoption of the constitution would ultimately be a victory against radicals in Washington, who supported the

postponement of the upcoming election. During an interview with a reporter of the *New York Herald*, Throckmorton said that "the extreme Radicals do not want an election at all. The constitution is not to their liking, although there were only eight democrats in the convention which framed it. What might suit the radicals would be a constitution framed in Washington and conferred by Congress on the state."<sup>17</sup> Thus was the state of affairs in Texas politics leading into the state elections of 1869.

The elections of 1869 proved to be a bitter contest between the radical and conservative factions of the Republican party. The radicals had earlier nominated Edmund J. Davis as their candidate, and conservative had put forth Andrew J. Hamilton. Conservative Democrats, included Throckmorton, called on their followers to support Hamilton. The editor of the *Dallas News* claimed that the Collin County politician "expressed a decided conviction that the best interests of the State would be promoted by the election of Hon. A. J. Hamilton." Furthermore, he stated that Hamilton "had a very just and proper appreciation of the condition of the country, and would labor to restore good feelings among all classes of our people."<sup>18</sup> While they did not completely dismiss conservative support of Hamilton, radicals believed that

African American voters would assure their candidate's victory. After the four-day election ended, voters approved the new state constitution by a count of 72,466 to 4,928, and E. J. Davis defeated Hamilton by a vote of 39,901 to 39,092.<sup>19</sup>

In part, the Federal government's actions helped Davis win the governorship. During the 1869 campaign, General Joseph Reynolds convinced President Grant that Hamilton and his supporters had aligned themselves with ex-Confederate Democrats. As a result, the president looked the other way while Reynolds directly aided the Davis campaign. The general made sure Davis supporters controlled the polling places and that the election was supervised by the military. Unfortunately under these conditions, voter fraud was widespread. The commanding officer's actions were evidently so blatant that Provisional Governor Pease felt compelled to resign his office, believing that Reynolds had thwarted the democratic process. General Reynolds did not appoint a replacement for Pease, but instead chose to assume the duties of the office himself until after the 1869 elections. On January 8, 1870, Reynolds appointed Davis to the office of provisional governor pending his formal inauguration. Additionally, Reynolds called for a provisional session of the Twelfth

Legislature to ratify the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution and to elect United States senators. The legislators met briefly in February and followed the general's orders, ratifying the amendments and electing James Flanagan and Morgan Hamilton to the Senate. Congress passed a bill that President Grant signed on March 30, bringing an end to Military Reconstruction in the state. Despite A. J. Hamilton and his supporters' protest to Washington officials over the gubernatorial election of 1869, Davis was officially inaugurated on April 28, 1870.<sup>20</sup> The controversy sparked over the governor's election became a roaring fire during the course of the next three years as conservatives unfairly blamed all the state's problems on the Davis administration. Throckmorton proved to be one of Davis's most vociferous critics. Apparently, the North Texan did not approve of the governor's willingness to give freedmen full civil rights. Also, Throckmorton disagreed with the governor's plan for economic development in the state and his taxation policies.

The Twelfth Legislature soon proved as unpopular as the newly elected governor. Radicals who dominated it passed several laws that raised the ire of conservative Democrats and Republicans. The most hated of these new

laws were the Militia Act, the State Police Act, the Enabling Act, and the Public Printing Act. Of these measures, conservatives and moderates found the Militia Act and State Police Act the most vexing. The former provided that all able-bodied men were liable for military service if called to duty by the governor, the commander-in-chief of the state militia. The law also allowed the governor to declare martial law at his own discretion. In addition, white supremacists hated the State Police Act because many of the policemen were African Americans. Racist Texans did not like the fact that the state police was a biracial force, approximately forty percent of the officers were African Americans. One of the clearest signs that whites were hostile to the state police primarily because it was a biracial force is the case of Captain L. H. McNelly. As an officer of the state police, McNelly was widely considered a disgrace, but later, when he joined the Texas Rangers, an all-white organization, he was heralded a hero.<sup>21</sup>

Conservatives also unfairly claimed that the state police committed more crimes than they solved. However, this claim seemed to be politically motivated, because the historical record suggest that the state police was an effective law enforcement agency. In a period of fourteenth months, the state police arrested almost 3,500

persons and jailed 638 persons on charges of murder or attempted murder. Furthermore, the force recovered approximately \$200,000 in stolen property. While carrying out their duties, eight policemen were killed and four wounded in the line of duty. Overall, the rancor caused by the Twelfth Legislature was one of the major factors which eventually led to Democrats regaining control of the legislature in the 1872 elections.

Conservatives were unsuccessful in defeating Davis in the gubernatorial election, but they continued to fight the radicals on other political fronts. On July 9, 1870, a conservative Democratic meeting was held at Austin in the office of Major John A. Green. The leaders at the meeting chose Benjamin Epperson to chair the conclave. After calling the meeting to order, several men made presentations that called for greater organization of the Democratic party in the state. Following their brief presentations, Throckmorton introduced a resolution which eventually led to the creation of a list of grievances that served as the Democrats' mantra against Governor Davis until he was voted out of office in 1873. Throckmorton stated that the attendees should call for a state Democratic convention. In addition, the ex-governor suggested that the members should make a list of charges

against the Davis administration. The members followed the North Texan's suggestion and adjourned their meeting giving the committee time to complete its task.<sup>22</sup>

On July 21, the political leaders reconvened to hear the committee reports. The grievances outlined against the Davis administration were numerous and undoubtedly reflected the views of Throckmorton as well as most conservative Democrats in the state. The list of charges claimed that Davis and his supporters expelled duly elected members from the legislature and seated in their places men who were not elected by majorities; delayed economic recovery in the state by deterring immigration; created a multitude of new offices and appointed radicals to them; delayed legislation favorable to the people of Texas and ensured the passage of laws deemed favorable to radicals; authorized the creation of the state police which preyed on honest citizens; aided in organization of secret political parties representing primarily African Americans; centralized the control of government by giving the governor tyrannical power; established newspapers to expedite the radicals' political heresies; planned to extend Davis's term in office beyond constitutional limits; arbitrarily arrested members of the legislature, thus depriving them a voice in pending legislation; and amassed

an enormous state debt. Accompanying the list of charges, the committee presented a draft of an address to the people of Texas which called on them to hold public meetings to protest against radical rule in Texas.<sup>23</sup>

Following the meetings in Austin, Throckmorton departed the state on a business trip in the interest of the Memphis, El Paso, and Pacific Railroad.<sup>24</sup> He did not return to the state until the latter part of 1870. In his absence, conservative Democrats accomplished little, and the call for a Democratic convention did not materialize. On August 5, 1871, conservatives held another political meeting in Austin. The members of this conclave called on leading Democrats to hold local meeting for the purpose of protesting the usurious expenditures of the state and electing delegates to represent the state's counties in a convention at Austin on September 22, 1871. The purpose of the popularly called state convention was to protest the Davis administration's fiscal and tax policies.<sup>25</sup>

Ninety-five counties sent delegates to the convention, commonly referred to as the Taxpayers Convention. Collin County voters elected Throckmorton as their representative. The delegates began to arrive in the state's capital in mid-September and immediately aroused the criticism of the Davis administration. The *State Journal*, a radical

newspaper, noted that "the tax-howlers are gathering much to the delectation of whiskey sellers. These fellows can't pay their taxes, but have enough [money] to travel hundreds of miles and pay heavy bar room bills in order to add a little fuel to the Ku-Klux disaffection and hostility that disfigures and disgraces the state."<sup>26</sup> The next day, the editor claimed that no good would come from "any movement supported by Throckmorton, Pease, Hamilton, and others of the unreconstructed rebel type."<sup>27</sup>

State officials allowed the members of the convention to use the House of Representative chambers for their sessions, but stipulated that the delegates had to hold their meetings during the afternoon and night. The first meeting of the Taxpayers' Convention convened at two o'clock Friday afternoon on September 22, 1871. After being called to order, the delegates elected E. M. Pease as the permanent chairman. While Pease's election suggested the convention was bi-partisan, most of the two hundred and seventeen delegates were members of the Democratic party. Besides preliminary organization, little else was accomplished on the first night of the convention. Judge John Ireland made a motion to create a committee of twenty-one to consider and report the business of the convention. The motion was seconded, and approved by a majority vote,

but no one was immediately appointed to serve on the committee. Realizing that the convention would have to work with the Davis Administration as well as the state legislature to produce any real reforms, Throckmorton introduced a resolution calling for a "committee of seven to be appointed to confer with his excellency E. J. Davis upon the subject of the reduction of expenditures of the state government . . . and that the same committee also confer with . . . the legislature."<sup>28</sup> The resolution was adopted, and shortly afterwards, the convention adjourned until later in the evening. During the next few hours, officers of the meeting selected leading conservatives to serve on the newly created committees.

The convention reconvened at seven o'clock, and Pease announced the names of those men selected to serve on the committees. Among the individuals chosen to serve on the Committee of Twenty-one were A. J. Hamilton, the chairman of the committee; Morgan C. Hamilton; William M. Walton; Ireland; Thomas J. Chambers; and Throckmorton. Members of the Committee of Seven included Throckmorton, chairman; W. M. Walton; John Ireland; J. T. Harcourt; M. C. Hamilton; A. J. Hamilton; and C. S. West. In addition to announcing the members of the two committees, Pease appointed a third committee on statistics with Judge Upton as its chairman.

At this point, the convention was adjourned until two o'clock the next day. When the convention reconvened, the committees reported that they had not completed their task and asked the convention for a two-day delay. Pease and the other delegates agreed and rescheduled their next session for seven o'clock in the evening on September 25.<sup>29</sup>

Following the adjournment of the convention, an incident took place which tainted future relations between the Davis administration and conservatives in the state. A crowd collected at Buass Hall on Congress Avenue and proceeded to the capitol grounds. It was reported that among their ranks were about one hundred African Americans. After reaching the state capitol, Governor Davis addressed the crowd and made reference to the purification of the capitol after the adjournment of the convention. The *Democratic Statesman*, a conservative newspaper, quoted Davis as saying "fellow citizens . . . in ancient times it was the custom of the people to purify their temples when defiled, by burning and sprinkling incense round about the same. This temple, our Capital, has been polluted by the presence of the tax payers of the state." Davis allegedly continued, "therefore it devolves upon you, my colored brethren, to purify the place. As we have no incense, I would suggest that you form in double ranks and march

around the capitol singing those glorious hymns of freedom with which you are so familiar." According to the editor, the freedmen followed Davis's suggestions and marched around the state capitol singing, "John Brown's Soul Is Marching On" and "Rally Round the Flag, Boys."<sup>30</sup>

When the convention reconvened on Monday, C. W. West resigned his position on the Committee of Seven, stating that he considered Davis's actions on Saturday night an "insult to the memory of the able men who [held] that office before him." West further stated that "I feel that personal respect and the duty I owe my constituents demand that I resign from [this] committee, and I trust the first act of this convention will be to rescind the appointment of the committee of conference with the Governor."<sup>31</sup>

Throckmorton agreed with West and offered a resolution which called for the release of the Committee on Conference with the Governor "in view of the flagrant indignity offered the convention by Governor Davis on Saturday evening last, in [regard to the] remarks made by him as to the purification of the capitol after the sitting of the convention, and [in light of] his conduct in connection therewith." The resolution was tabled by a vote of 71 to 56.<sup>32</sup>

The remainder of the session was dedicated to hearing

the committees' reports. The Committee of Twenty-one had compiled a list of grievances which were identical to those compiled at the meeting in Major Green's office the previous year. In connection with the charges, Throckmorton read a series of recommendations and asked the convention to adopt them. The proposed recommendations called on the taxpayers to refuse to pay the state's new school tax and to pay only the one eighth of one per cent tax levied by the legislature. Additionally, the committees suggested that the convention should prepare an address to the people advising them how to resist paying certain state taxes that the convention defined as illegal, and stated that if the governor or legislature disregarded the convention's recommendations, the committee should prepare a memorial to the Congress of the United States asking for federal intervention on behalf of the state's citizens.<sup>33</sup>

The resolution calling for congressional intervention caused great debate among the delegates. There was considerable disagreement concerning what mode of redress should be taken in case the governor and the legislature refused to comply with the demands of the taxpayers. Judge Upton opposed the resolution because he could not bring himself to recognize the right of Congress to interfere in

the affairs of the state. He favored the election of delegates by the sovereign people of the state to a convention to form yet another state constitution. Upton firmly believed that a direct appeal to Congress forfeited the rights of sovereign people to act in such a crisis; however, he conceded that conservatives could call on the Federal government to intervene in the state's affairs if radicals refused to allow a new constitutional convention to convene. Throckmorton disagreed with Upton and considered his stance as impractical. He stated that a constitutional convention would not be allowed to meet and that Congress would consider such an act open rebellion and would help the radicals remain in power. Throckmorton clarified his position by stating that he did not question the people's right to handle the affairs of their state but that he did not feel it was the right policy to pursue at that time. The resolution to appeal to Congress was adopted.<sup>34</sup>

The convention then directed the Committee of Seven to write an address to the people of Texas and a memorial to the state legislature. Before adjourning, E. M. Pease was added to the Committee of Seven upon the request of Throckmorton. The members were also instructed to confer with the governor. Following these last minute changes,

the convention adjourned on September 25. The committee quickly finished their task and issued an address to the people and a memorial to the legislature on September 30. The address to the people stated that the one per cent tax was illegal and could not be collected; that the tax law was defective because it failed to name the property on which the tax was to be levied; that there was a conflict in the tax laws because one part of the tax code levying a one per cent tax and the other a one-eighth of one per cent tax on for the same purpose; and that the committee advised an injunction which would set forth the objections to the tax if any attempt were made to collect it. The injunction was designed to enjoin the sheriff from the execution of a law which was no longer valid.<sup>35</sup>

On October 2, 1871, the Committee of Seven completed its memorial to the legislature. The petition called on the solons to reduce the state tax to one-third of one per cent, to reduce the county tax to one half that amount, and to repeal the school house tax. In addition, the memorial requested that the legislators repeal the police bill, the registration law, and the enabling act. With this, the Taxpayers' Convention was officially over.<sup>36</sup>

While confronting radicals at the state level between 1869 and 1871, Throckmorton was also actively involved in

local politics. In part, the North Texan's interest in local politics resulted from his desire to win election to the U. S. Congress. Collin County's favorite son became a central figure in the 1869 Second Congressional District race, where J. C. Conner was running on the Democratic ticket. Despite Conner's affiliation with the Democratic party, many North Texans considered him a carpetbagger. The candidate was born in Noblesville, Indiana and was a former Union military officer during the Civil War. Following the war, Conner had returned to Indiana and unsuccessfully made a bid for the state legislature on the National Union ticket in 1866. When the Union army was reorganized as an occupation force in the fall of 1866, he applied for and received a captain's commission of the Forty-first colored infantry. Conner served with the unit until General Reynolds transferred him to civil service, appointing the captain county clerk of Grayson County.<sup>37</sup>

Because Conner was a northerner and an appointee of the military authorities, Throckmorton considered him unfit to represent the people of the Second District. As a result, the former governor supported Joshua Johnson for the congressional nomination. However, once the Democratic party endorsed Conner, Throckmorton ceased all open opposition to him but did not actively campaign for the

candidate. When Reynolds reported the election returns on January 11, 1870, Conner was declared the winner. On March 20, 1870, Congress passed an act which readmitted Texas to the Union, and consequently, the state's senators and representatives took their seats in Washington. However, this did not produce political calm in the state. During the fall of 1870, the Davis administration extended the term of office for radicals elected in 1869 by postponing the 1870 congressional elections until 1871. This move caused a stir among the Texas Democrats and led to continued controversy in the Second District.<sup>38</sup>

Given the political divisions within the Republican party and the Democrats' attempt to regain control of the state, the congressional race in North Texas gained statewide attention. As A. J. Hamilton and E. M. Pease sought political alliances between conservative Republicans and Democrats, Throckmorton began to calculate his return to political office. It was natural that he set his eyes on winning the congressional seat in his home district. On October 14, 1870, the editor of the *Houston Union*, a radical Republican newspaper, surveyed the political environment of North Texas:

North Texas opposes Conner. Dissatisfaction is being spread. Collin County, the *Enquirer*, and

the *McKinney Messenger* are all against him. This means Throckmorton wants to go to Congress himself. But there is something deeper than all this. Conner is straight out Democratic and down on *Fusion* and so is all North Texas. Hamilton, Walton, Pease, Webb, and the coalitionists generally are seeking to get Conner out of the way to give North Texas to the *Fusion*. The *Fusion* is much the weakest party in that region, but it has all the old strong politicians with them, and then, too, the straight Democracy are at a disadvantage in having committed themselves to a little adventurer like Conner.<sup>39</sup>

On November 9, 1870, the editor of the *Union* again commented on the political environment of North Texas and suggested that Throckmorton might run against Conner in the upcoming congressional race. The editor commented:

We sometime ago intimated that the little political monstrosity, Captain Conner, Yankee adventurer, Federal soldier, nigger Captain, state rights, secession, rebel, anti-reconstruction, southern chivalry candidate for Congress was going to have opposition. We understand that ex-Governor Throckmorton has determined to be a candidate to represent the Second Congressional District.<sup>40</sup>

The editor suggested that Throckmorton might be eligible to hold political office once again and that he would be easily elected to office, especially considering that the Democratic party had only chosen Conner as their candidate in 1869 because he opposed the reconstruction policies of the military. The political circumstances in North Texas

would have suggested an easy victory for Throckmorton, except for one major obstacle: The Democrats and Fusionists in the district pledged their loyalty to Conner's reelection. Conner had worked hard to gain the favor of his constituents. Throughout September and October, he had canvassed his district, denouncing the Davis administration, Congressional Reconstruction, and the Republican party. Ironically, he had even wrapped himself in the Confederate flag by praising the South's lost cause and the veterans of the Confederate army. Despite their attachment to the Union prior to the war, many North Texas voters gravitated toward their congressman and gathered in large crowds to hear him speak.<sup>41</sup>

Given Conner's popularity with the people of the Second District, Throckmorton moved cautiously in putting his name before the voters. The ex-governor might have acted more definitively, but he still had not received a Federal pardon which would allow him to hold political office once again. As a result, Throckmorton did not initiate plans to enter the race until February 1871. On February 1, Throckmorton wrote to Epperson:

I have been studying some way to get the [Galveston] *News* and [Houston] *Telegraph* to occasionally urge the necessity of sending me from this district, but I have not clearly seen the

way. They are friendly. How would it do for you to write Ashbel Smith and make known Conner's calibre and suggest my disinclination and the propriety of the *News* and *Telegraph* speaking out.<sup>42</sup>

Five days later, Throckmorton wrote to his friend once again and presented a more clear plan for challenging Conner. He stated:

Our friends—yours and mine—should be active in making me the candidate—this will tend to break Conner down—already the talk of my candidacy has greatly weakened him—should my disabilities be removed and he vote against it, it will settle his hash. The moment my disabilities are removed I should be nominated by county meetings where it can be done. This would give a start at least. A convention would help. If you can manage to have the friends in Jefferson and the lower counties to take such steps it would help.<sup>43</sup>

Unfortunately for his political ambition, Throckmorton's bid for Congress ended abruptly when Congress did not approve his pardon. Members of the Republican party attempted to use the ex-governor's political misfortune to their own gain. In an effort to gain Throckmorton's political support, Republicans blamed Conner for obstructing the North Texans pardon. According to the *Houston Union*, the bill for Throckmorton's pardon which came before Congress on March 12, 1871, "was never read but passed the House very late in the session without reading through the efforts of General Clark." The editor

of the paper continued, "Conner clamored for the reading of the bill which would consume time. Foiled in this Conner took the bill from the clerk to delay engrossment. Defeated in this, he resorted to the Senate saying that the Amnesty bill with Jim Throckmorton's name on it should not pass and prevented its being called up in the Senate."<sup>44</sup> Conner denied the charges in a letter to the *Bonham News*, a Fannin County newspaper. He stated, "I see the *Houston Union*, *Austin Journal*, *McKinney Enquirer*, etc., charge that I voted against the removal of the disabilities of certain gentlemen. The charge is untrue. Please correct the error."<sup>45</sup> Conner's denial spurred the Republicans to redouble their efforts to bring Throckmorton into their camp. The *Houston Union* wrote that "Governor Throckmorton has long been considered the leading public man in North Texas. Now the Democracy has suddenly thrown him overboard for a carpet bag adventurer and Union Renegade." The newspaper further stated, "North Texas has disgraced herself, and Throckmorton is not the man we thought him if he submits to this open insult in favor of his pigmy enemy, Conner."<sup>46</sup>

While Conner and the Republican newspapers were embroiled in a political battle, Throckmorton conceded the fact that he would not become a candidate in the 1871

congressional race. As a result, he became actively involved in searching for a suitable challenger to Conner. While seeking a worthy opponent, the ex-governor made numerous stump speeches against the incumbent and called for a congressional convention to meet in Dallas to nominate a new candidate. Apparently, the call for a convention was successful because a meeting was held in Denton County for the purpose of electing precinct delegates to the proposed Dallas convention. The people of Precinct No. 2 elected Hugh J. Throckmorton, the ex-governor's eldest son, as their representative.<sup>47</sup> Countering his opposition's actions, Conner took to the stump and began circulating the story that the former governor was hatching a plan to secure the nomination of his son when the convention met in Dallas. This prompted the Collin County politician to respond that "these dirty scamps, with Conner at their head, are the most damnable set of liars out of Hell."<sup>48</sup> The stage was set for a bitter campaign battle.

Early in July 1871, the Democrats held the Dallas convention and nominated Conner without serious opposition. With the added prestige of a convention nomination, the incumbent was virtually assured reelection. Throckmorton continued on the stump, making pro-Democratic speeches, but

as he had done in 1869, the former governor refused to endorse Conner. When the election took place in early October, the Democratic nominee easily defeated his Republican challenger by a vote of 18,285 to 5,948.<sup>49</sup>

When the election concluded, Throckmorton supporters began to make preparations to nominate him as the Congressman-at-large in 1872. Because the Texas population increased, the state was granted two additional congressional seats. The state now had six congressional seats, but still only had four congressional districts. Thus, the new seats were designated as congressman-at-large. In addition to reapportionment, Congress indirectly aided the North Texan's bid for the nomination by passing the Amnesty Act of 1872 which removed Throckmorton's political disabilities. In January 1872, the *Dallas Herald* was already calling for the ex-governor's nomination, but the editors of the *Sherman Patriot* and the *Denton Monitor* questioned the political viability of the Collin County politician: Undoubtedly, the editors were aligned against Throckmorton because he had opposed Conner in 1869 and 1871. The editor of the *Dallas Times* quickly pointed out that following Conner's nomination at the Dallas convention that Throckmorton had supported the Democratic candidate, even if his support was unenthusiastic.<sup>50</sup>

While the editors penned their differences, plans for the state elections proceeded. In early 1872, Texas Democrats called for a state convention to convene at Corsicana on June 17, and held preliminary district meetings to select delegates to the meeting. At these local gatherings, the citizens also decided on whom they would support in the upcoming congressional race. At the Dallas meeting on May 6, locals passed a resolution which recommended Throckmorton as one of the congressional candidates-at-large. Later the same month, a similar meeting was held in McKinney. After a few hours of deliberation, Throckmorton read a draft of a resolution compiled by members of the meeting: It called for the redemption of the state from misrule, oppression, and bankruptcy of the Davis Administration; invited the citizens of the state, regardless of political affiliation, to join in their cause; and endorsed the state convention at Corsicana. Another member of the committee then presented a resolution calling for Throckmorton's nomination as Congressman-at-large. The resolutions were enthusiastically endorsed by those present at the assembly.<sup>51</sup>

The Corsicana convention met on June 17, and early balloting seemed to suggest that Throckmorton was a leading

favorite for the congressional nomination. On the first ballot he garnered more votes than Asa Willie and Roger Q. Mills, his two leading opponents. After six ballots, the North Texas politician was still in the lead. However, on the seventh ballot his opponents' supporters struck a deal which allowed Willie and Mills to secure both of the congressional nominations. Many delegates were dissatisfied with the chosen candidates, because both came from the Third District, a voting district containing a small Democratic majority. Nevertheless, when the balloting was concluded, Throckmorton graciously congratulated nominees and made a motion to make the nominations unanimous. The *Dallas Herald* commented on Throckmorton's defeat, stating that "we are free to express our surprise of the defeat of Gov. Throckmorton, the stronger man in the State as the voting at first plainly showed. The adoption of the two thirds rule, the number of candidates, and the various combinations formed, explain the matter." The *Herald* continued, "It was the natural consequence of the union of the weaker to defeat the stronger. We have not a word to say against the gentleman selected—they are both worthy men." However the editor did express his concern that "the two candidates for the State at large should have been taken from the 3d District, which

cast the smallest democratic majority of all. It would look as if a combination of delegates was made to defeat the favorite candidate [Throckmorton] of the 2d District, which can give a majority more than all the others together." The *Herald* concluded, "This would not seem to be sound policy, and the people of the 3d District are talking a great deal about policy at this time. But complaint is useless."<sup>52</sup>

Even though the Corsicana convention proved to be a disappointment, Throckmorton's supporters wasted no time in placing him before the people for the governorship in the next election. The *Sherman Courier* expressed the belief that many votes had been withheld from him at the Corsicana convention because leading politicians hoped to make him governor when the opportunity arrived.<sup>53</sup> They would not have to wait long. The Thirteenth Legislature convened in January 1873, and called for the next gubernatorial election to be held on the first Tuesday in December. As a result, the editor of the *Dallas Herald*, J. W. Swindells, wrote to Throckmorton and urged him to run for office. Throckmorton, however, declined to become a candidate. He replied to the editor stating "you, as well as other friends, know that the support of my family depends upon my daily labor. For twenty years and more I have in one

capacity or another, been in public harness." Throckmorton continued, "Whilst I have been devoted to the public interests, and particularly to those of my immediate section of the state, my public affairs have well nigh gone to ruin."<sup>54</sup> Despite his desire to take care of his personal financial situation, it also seems likely that Throckmorton desired to become a United States senator, rather than recapturing the governor's office.

Regardless of his motivations, the ex-governor's refusal to seek the governorship did not deter his supporters, nor did it stop his opponents from attacking him in the newspapers. During the first week of September, the Democratic nominating convention met in Austin. The people of Collin County elected Throckmorton as their delegate to the convention. At the convention, many politicians throughout the state believed that the North Texan would receive the party's nomination for governor even if he did not seek the office. However, he brought an end to such rumors. In a letter to the *Democratic Statesman*, the North Texan stated "that there may be no misunderstanding in regard to my position I desire to say, through your paper, that I am not a candidate for governor—that under no combination of circumstances will I be before either the Democratic State Convention or the

people." Throckmorton continued, "I came to Austin as a delegate to the convention from my county, with no other view than to work in the ranks and to promote democratic success."<sup>55</sup>

With Throckmorton refusing to run in the upcoming race, the convention nominated Richard Coke as their candidate for governor. In the December election, Coke overwhelmingly defeated the unpopular Republican incumbent, E. J. Davis. Coke's victory was the beginning of the end of the Republican party's influence in the state. Texas voters not only ushered in a new executive in Austin in 1873, but they brought forth a new era of Democratic dominance in the state: According to the Democrats, the state was on its way to becoming officially redeemed.

Once the Democrats had removed Republicans from office, conservative Democrats solidified their rule of the state by replacing the Constitution of 1869 with one more favorable to their political agenda. Voters approved a constitutional convention in early August 1875 and elected ninety delegates to frame a new governing document for the state. The conservative Constitution of 1876 effectively swept away the last vestiges of congressional directives, military rule, and Republican leadership from the state government. Even though the new government did not

completely disenfranchise the freedmen, it allowed Democrats to dominate statewide politics and to relegate African Americans to second class citizenship. Also between 1874 and 1875, the United States army successfully put down the last major Indian resistance in Texas, defeating the Comanches, Kiowas, and Southern Cheyenne in a series of battles, collectively known as the Red River War. The Plains Indians would never threaten the Texas frontier again. Thus, two of Throckmorton's goals were achieved: The freedmen and Native Americans would no longer threaten white supremacy on the frontier. As a result, ex-governor's future political endeavors concentrated less on racial issues and more on the economic development of North Texas.<sup>56</sup> In the end, conservatives won the war of Reconstruction.

## Endnotes

1. Throckmorton to Epperson, December 19, 1867. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; *Dallas Herald*, November 2 and November 9, 1867; Louise Horton, *Samuel Bell Maxey: A Biography* (Austin: University of Texas Press, 1974), 49; James D. Lynch, "J. W. Throckmorton,"; Baggett, "The Rise and Fall of the Texas Radicals," 3. For a brief but comprehensive examination of African American political contributions see Barry A. Crouch, "Hesitant Recognition: Texas Black Politicians, 1865-1900," *East Texas Historical Journal* 31 (Spring 1993): 41-58. Baggett points out that even though there were more black Republicans than white Republicans in Texas after 1867, black political domination was impossible in the state. The highest political position achieved by an African American in Texas was state senator and only three blacks attained that office. Nevertheless, Throckmorton undoubtedly knew, as did most white Texans, that African American voters could effectively help white radical Republicans win office, especially since many white Democrats remained disenfranchised by the Reconstruction Acts. Horton reveals that Throckmorton was the member of a law firm in Bonham, Fannin County, Texas. The ex-governor was law partners with Samuel A. Roberts and Thomas J. Brown. The *Dallas Herald* states that Throckmorton was a partner in the Throckmorton & Brown Law Firm in McKinney, Texas.

2. Throckmorton to B. H. Epperson, September 5, 1867. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Throckmorton to Rev. J. W. P. McKenzie, September 10, 1867. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Elliott, *Leathercoat*, 181-82.

3. James Waller to Throckmorton, September 29, 1867. James Webb Throckmorton Papers, 1857-1940. MC/AD/TSL; *New York Times*, November 2, 1867.

4. Throckmorton to B. H. Epperson, September 5, 1867. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; *Dallas Herald*, November 9, 1867; Elliott, *Leathercoat*, 183-84.

5. *Dallas Herald*, November 16, 1867; Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas," 348-49; Henderickson, *The Chief Executives of Texas*, 92; Elliott, *Leathercoat*, 184-86.

6. *Dallas Herald*, February 1, 1868; Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas," 348-49; Henderickson, *The Chief Executives of Texas*, 92; Elliott, *Leathercoat*, 186-87.

7. William A. Russ, Jr., "Radical Disfranchisement in Texas, 1867-1870," *Southwestern Historical Quarterly* 38 (July 1934): 45-46; Ramsdell, *Reconstruction in Texas*, 199; Elliott, *Leathercoat*, 186-87.

8. *Dallas Herald*, June 20, 1868; James A. Baggett, "Birth of the Texas Republican Party," *Southwestern Historical Quarterly* 78 (July 1974): 19-20; James R. Norvell, "The Reconstruction Courts of Texas, 1867-1873," *Southwestern Historical Quarterly* 62 (October 1958): 145-

46; Henderickson, *The Chief Executives of Texas*, 92; Moneyhon, *Republicanism in Reconstruction Texas*, 82-86.

9. *Dallas Herald*, June 20, 1868; Moneyhon, *Republicanism in Reconstruction Texas*, 86-92.

10. Moneyhon, *Republicanism in Reconstruction Texas*, 93.

11. James R. Norvell, "The Reconstruction Courts of Texas, 1867-1873," 146-47; Moneyhon, *Republicanism in Reconstruction Texas*, 101-02; William A. Russ, Jr., "Radical Disfranchisement in Texas, 1867-1870," 46-48; Elliott, *Leathercoat*, 187-88.

12. Moneyhon, *Republicanism in Reconstruction Texas*, 103.

13. William A. Russ, Jr., "Radical Disfranchisement in Texas, 1867-1870," 50; Elliott, *Leathercoat*, 188.

14. *Dallas Herald*, May 30 and June 6, 1868; Good, "John Henninger Reagan," 311; Elliott, *Leathercoat*, 188-89.

15. *Dallas Herald*, July 18, 1868; James Clark Chamberlain, "The Two-Thirds Rule in Texas State Democratic Conventions" (M.A. thesis, Texas Technical College, 1933), 11; Good, "John Henninger Reagan," 311-12; Elliott, *Leathercoat*, 189.

16. *Dallas Herald*, July 25, 1868.

17. *New York Herald*, in *Dallas Herald*, August 14, 1869.

18. *Ibid.*, June 19, 1869.

19. James R. Norvell, "The Reconstruction Courts of Texas, 1867-1873," 147-48; Henderickson, *The Chief Executives of Texas*, 92; Elliott, *Leathercoat*, 190.

20. James R. Norvell, "The Reconstruction Courts of Texas, 1867-1873," 147-48; William A. Russ, Jr., "Radical Disfranchisement in Texas, 1867-1870," 51; Henderickson, *The Chief Executives of Texas*, 93; Elliott, *Leathercoat*, 190; Campbell, *Gone to Texas*, 280.

21. C. W. Raines, ed., *Six Decades in Texas: The Memoirs of Francis R. Lubbock Confederate Governor of Texas* (Austin: The Pemberton Press, 1968), 605; E. T. Miller, "The State Finances of Texas During the Reconstruction," *Southwestern Historical Quarterly* 14 (October 1910): 91; Carl Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York: Harper and Row, 1974), 251-52; Henderickson, *The Chief Executives of Texas*, 93.

22. *Dallas Herald*, July 30, 1870; Baggett, "The Rise and Fall of the Texas Radicals," 137-38

23. *Dallas Herald*, August 6, 1870; Gray, "Edmund J. Davis," 271; Baggett, "The Rise and Fall of the Texas Radicals," 137-38; Elliott, *Leathercoat*, 191-192.

24. Throckmorton to G. W. Sulthen, March 22, 1869. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH. This letter reveals that Throckmorton became the director of the Memphis, El Paso, and Pacific Railroad Company. For more on Throckmorton's involvement with the railroad see letters Throckmorton to Benjamin Epperson, November 17, 1869; February 1, 1871; and August 2, 1871. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; An article in the *New York Times*, September 13, 1870, reveals that Throckmorton stayed at the St. Nicholas Hotel in New York suggest that he was indeed out of the state.

25. *Dallas Herald*, November 5, 1870; Elliott, *Leathercoat*, 192.

26. *Dallas Herald*, September 30, 1871; *Austin Daily State Journal*, September 22, 1871; Elliott, *Leathercoat*, 192-93.

27. *Austin Daily State Journal*, September 23, 1871; Elliott, *Leathercoat*, 193.

28. *Dallas Herald*, October 21, 1871; *Austin Daily State Journal*, September 23, 1871; *Austin Democratic Statesman*, September 23, 1871; E. T. Miller, "The State Finances of Texas during the Reconstruction," 95; Elliott, *Leathercoat*, 194.

29. *Austin Democratic Statesman*, September 26, 1871; Waller, *Colossal Hamilton of Texas*, 135; Wooten, *A Comprehensive History of Texas*, Vol II., 193-94; Elliott, *Leathercoat*, 195.

30. *Austin Democratic Statesman*, September 26, 1871.

31. *Ibid.*, September 26, 1871.

32. *Ibid.*, September 26, 1871.

33. *Ibid.*, September 28, 1871.

34. *Austin Daily State Journal*, October 1, 1871; Elliott, *Leathercoat*, 198.

35. *Austin Democratic Statesman*, October 3, 1871; Elliott, *Leathercoat*, 199.

36. *Austin Democratic Statesman*, October 3 and 5, 1871; Elliott, *Leathercoat*, 196.

37. *Ibid.*, 204.

38. *Ibid.*, 204-205.

39. *Houston Union*, October 14, 1870. The term "Fusion" refers to a coalition formed between conservative Democrats and conservative, or moderate, Republicans.

40. *Ibid.*, November 9, 1870; Elliott, *Leathercoat*, 206.

41. Ibid., 206.
42. Throckmorton to Epperson, February 1, 1871. Epperson Papers. CAH.
43. Throckmorton to Epperson, February 6, 1871. Epperson Papers. CAH.
44. *Houston Union*, May 12, 1871.
45. *Bonham News*, April 28, 1871, in the *McKinney Enquirer*, May 6, 1871.
46. *Houston Union*, May 12, 1871.
47. *Dallas Herald*, June 24, 1871.
48. Throckmorton to B. H. Epperson, April 9, 1871. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; Throckmorton to B. H. Epperson, June 7, 1871. Throckmorton, James Webb, 1825-1867. Letters of Governor James W. Throckmorton, 1862-1876. CAH; *Dallas Weekly Herald*, June 24, 1871.
49. Ramsdell, *Reconstruction in Texas*, 310; Elliott, *Leathercoat*, 210.
50. *Dallas Herald*, January 6, 1872; *Sherman Patriot and Denton Monitor*, in *Dallas Herald*, January 20, 1872; *Dallas Herald*, January 27, 1872; *Dallas Herald*, February 3, 10, 17, and 24, 1872; *Dallas Herald*, March 16, 1872; *Dallas Herald*, April 20, 1872; Elliott, *Leathercoat*, 211.
51. *Dallas Herald*, May 11, 18, and 25, 1872; Elliott, *Leathercoat*, 211-12.
52. *Dallas Herald*, June 22, 1872; John H. Reagan, *Memoirs*, 241; Chamberlain, "The Two-Thirds Rule in Texas State Democratic Conventions," 13-14; Elliott, *Leathercoat*, 212.
53. *Sherman Couirer*, in *Dallas Herald*, July 6 and September 28, 1872.
54. *Dallas Herald*, May 31, 1873.
55. *Austin Democratic Statesman*, in *Dallas Herald*, September 6, 1873.
56. *New York Times*, September 4, 1873; C. W. Raines, ed., *Six Decades in Texas*, 605; James R. Norvell, "The Reconstruction Courts of Texas, 1867-1873," 149; Moneyhon, *Republicanism in Reconstruction Texas*, 188; Henderickson, *The Chief Executives of Texas*, 97; Campbell, *Gone to Texas*, 285-86, 295.

## CHAPTER X

## CONCLUSION

At first glance, James Webb Throckmorton appears to be something of an enigma in nineteenth-century Texas political history. Between 1861 and 1867, his political positions seemed contradictory, self-serving, and irrational. In part, this assessment holds some validity: Like most politicians of his times, Throckmorton pursued policies which benefitted him personally, especially the development of railroads in the North Texas region. However, a detailed examination of Throckmorton's public life reveals that his political views exhibited a high degree of consistency. Generally speaking, four primary factors influenced Throckmorton's political development: his experiences on the frontier, his desire to preserve the whiteness of north-central Texas, his adherence to political conservatism, and his commitment to the economic development of North Texas. These influencing factors shaped Throckmorton's character throughout five decades of political change in the Lone Star State.

There is no doubt that Throckmorton's frontier experiences played a critical role in defining his political ideology and his racial views. Having lived on

the southern frontier most of his life, he witnessed first hand many of the hardships confronting pioneer families, especially the devastating impact that Indian raids had on their settlements in the northern counties of the state between 1845 and 1870. Like many white settlers living in north-central Texas, Throckmorton arrived at the conclusion that the Native Americans were one of the greatest obstacles confronting the development of the Texas frontier. As a result, he consistently supported the removal of the Native Americans to reservations and sought ways to protect the settlers of the North Texas region. Throckmorton's concern for the welfare of white frontiersmen eventually led him to develop a racial hatred for Native American peoples. Evidence suggests that Throckmorton devoted much of his life trying to push the Indians off of their lands, consequently securing the territory for white men. According to men of Throckmorton's stripe, the frontier represented a refuge for whites, and they did everything they could to protect the whiteness of the region.

While Throckmorton's desire to preserve the whiteness of the frontier against Native Americans, it also led to his racial hatred of other non-whites, especially African Americans. Consistent with views of most nineteenth-

century white southerners, he believed that African Americans were inferior to whites, and he attempted to prevent black migration into the northern counties following the Civil War, believing that the freedmen would somehow taint the blood of Anglos through the process of miscegenation. As a result, Throckmorton supported policies designed to prevent blacks from receiving full civil rights and supported laws, such as the black codes, in an effort to keep African Americans tied to East Texas lands where they had lived in bondage.

In part, Throckmorton's racial animosity toward African Americans initially rested with his antebellum disdain for the southern planter class. Throughout the 1850s, Throckmorton sought to protect the social, political, and economic institutions of the settlers of the North Texas region. After proving his loyalty to the early settlers by helping them retain title to their lands during the Peters Colony fiasco, Throckmorton tirelessly worked throughout the 1850s to prevent slaveholding planters from encroaching upon the northern frontier. In part, his plan to fend off the planters included measures designed to advance the economic development of Red River counties. He was especially concerned with the building of railroads in the region. Railroads were critical to the continued

prosperity of North Texas wheat farmers. Without the railroads, these farmers lacked adequate access to distant markets and suffered continued economic hardships. The consequences of frontier poverty was self-evident: Small farmers would eventually be forced to sell their landholdings to migrating planters from the east. Such circumstances would ultimately give large slaveholders complete control over the social, political, and economic institutions of North Texas. In this environment, Throckmorton's racial hatred of the black slaves partly resulted from his disdain of the planter class itself.

Throughout the antebellum era, the slaves were the most visible representation of the planters' wealth and social dominance in southern society. In Throckmorton's mind, the slaves were the mechanism which allowed large planters to take advantage of small farmers. Aside from his own belief in white superiority, Throckmorton believed that the economic advantage that blacks provided to the planters was a compelling enough reason to hate the bondsmen. Even after the slaves were emancipated, Throckmorton's viewed blacks with disdain and engaged in politics designed to preserve the whiteness of north-central Texas. As governor of the state, he nearly ended his political career by supporting policies that tried to

prevent the freedmen from gaining full equality with whites under the law. If it had not been for the failures of Reconstruction, it is likely that his public career would have ended in 1867 when military authorities removed him from the governorship.

Even though the whiteness of the frontier needs further scholarly examination to define its significance in Texas as well as the other southern states, the concept serves to give meaning to one of the state's more turbulent periods of history. One cannot begin to understand Throckmorton, or others like him, unless they first come realize the differences which existed between the various regions of the South. In many ways, the frontier served as an escape valve for settler who wanted to avoid a society dominated by large slaveholders. These settlers moved to North Texas from the Upper South and attempted to forge a new white society. As a result, they developed an intolerance for non-whites and sought to protect their region from what they deemed an infiltration of inferior humans. In the Red River counties, Throckmorton became one of the most prominent advocates of this form of racism.

In addition to his frontier experiences and the desire to preserve the whiteness of his region, Throckmorton adhered to conservative brand of politics. Evidence

suggests that his political conservatism stemmed from his early political affiliation with the Whig party. During the 1840s and early 1850s, Whigs in the Upper South adhered to three basic party principles: They favored economic development through internal improvements; they expressed a certain disdain for political extremists, such as the northern abolitionists and southern secessionists, and they remained faithful to the Union. After being introduced to the party's ideology at an early age, Throckmorton never abandoned the party's principles even after he left the Whig party to become a member of the Democratic party in the mid-1850s.

Scholars have labeled Throckmorton's reaction to change in Texas politics as contradictory and ironic. Academicians are puzzled by the fact that the North Texan voted against secession in 1861 only later to join the Confederacy and oppose Radical Reconstruction. However, his positions were more consistent than contradictory. Throckmorton's support of the Union during the secession crisis stemmed from his opposition of extremists in both northern and southern states. Like Sam Houston, he realized that secession would bring economic ruin to Texas. It also would prevent northern capitalists from investing in southern railroads, which were vital to the North Texas

economy. In addition, he understood that slaveholding planters would likely hold key positions in the Confederate government, and thereby would continue to dominate the political, economic, and social institutions of the South. As previously mentioned, this was a proposition that he and other Texas Unionists were unwilling to accept.

However, once the majority of Texas voters approved secession, Throckmorton realized that the people on the frontier were exposed to two potential dangers. With the U. S. Army abandoning their western forts, the people of his home region were once again left unprotected from potential Indian raids. Additionally, Unionists in the North Texas were vulnerable to the charge of being traitors to the Confederacy, a circumstance that could have led to the eruption of a civil war within the state. While he was attempting to reconcile these differences, the Confederate military attacked Fort Sumter, prompting President Lincoln to issue a call for 75,000 volunteers to put down the rebellion in the southern states. The president's actions led Throckmorton to join the Confederacy: He did not believe that the Federal government had the *right* to coerce the southern states back into the Union. For Throckmorton, coercion was a form of political extremism. Thus, the North Texan reluctantly joined the Confederate cause.

However, his experience in the Confederate military was mostly limited to fighting Native Americans in the Indian Territory and on the Texas frontier, thereby allowing him to fulfill his self-proclaimed title as defender of the northern frontier.

After the war, Throckmorton became the first democratically elected governor in Texas. During his brief term as governor, he continued to act as a guardian of the frontier. In fact, his confrontations with the military authorities were the result of his pursuance of policies that were designed to shield the frontier settlers from continued Indian raids and to prevent the migration of freedmen to the North Texas region. These policies, coupled with Throckmorton's lack of concern for the freedmen's general welfare, eventually led General Philip Sheridan to remove the governor from office, charging that he was an impediment to Reconstruction.

Throckmorton's racism proved detrimental to the black Texans' struggle for equal rights during the Reconstruction era. While he did not kill African Americans with his own hands, Governor Throckmorton did not actively prosecute whites who committed crimes against blacks in the state. Though he was willing to accept emancipation of the slaves, the governor could not consent to granting freedmen

suffrage. As a conservative Democrat, Throckmorton understood that the disenfranchisement of ex-Confederate voters and the enfranchisement of African American would swing the balance of political power in the state in favor of Radical Republican candidates and their Reconstruction policies. Given that the governor believed Radical Republicans were extremists who subverted the Constitutional powers guaranteed to the states, he refused to accept Republican control of the state and did his best to sabotage Governor E. J. Davis's administration.

Throckmorton seemingly condoned the crimes committed against the freedmen for two reasons: First, white oppression of blacks forced the freedmen to accept second-class citizenship, thereby allowing East Texas landowners to effectively force the freedmen to sign unfair labor contracts which prevented them from escaping the cotton fields that they had worked as slaves. In effect this fulfilled Throckmorton's plan to prevent blacks from migrating to other regions in the state, especially North Texas. Second, the violence eventually stifled the freedmen's participation in the political process. Without the support of black voters, Republicans were weakened. When the federal government lifted its voting restrictions on the majority of ex-Confederates with the passage of the

Amnesty Act in 1872, Radical Republicans lost their grip on the state, and Democratic redeemers regained political prominence once again.

Following the Democrats triumph, James Webb Throckmorton continued to pursue a political career. In 1874 the people of Texas's Third Congressional District elected him to the United States Congress and reelected him in 1876. During this early tenure as a congressman, Throckmorton worked on educational issues and supported federal funding for railroad expansion. Throckmorton's support for the railroads was no surprise to his contemporaries, especially after the Texas and Pacific Railway Company retained him as one of their attorneys. In 1878 he left Congress and returned to Texas, where he attempted to win the Democratic nomination for governor. Because many Texans believed that the military had unjustly removed Throckmorton from office during Reconstruction, a small group of Democratic leaders supported his nomination for a second term as the state's chief executive. However, the ex-governor's support was not enough to sustain him in the Democratic party's state convention, and he lost the nomination to Judge Oran M. Roberts who subsequently went on to win the gubernatorial race. One factor that led to Throckmorton's failed attempt to capture his party's

nomination was his association with railroad magnates. As the agrarian protest movement against railroad companies began to gain ground in Texas, the North Texan's affiliation with the Texas and Pacific Railway Company had a negative affect on his candidacy.<sup>1</sup>

After his defeat, Throckmorton continued to practice law and participated in several public speaking engagements. In 1882, he was elected once again to the House of Representatives, and he was reelected in 1884 and 1886. Toward the end of his fifth term in Congress, poor health forced him into retirement. Apparently, he continued to suffer from the same kidney problems that had plagued him throughout his life. Again, in 1892, he was persuaded to run for governor, but he was not physically strong enough to effectively campaign for office. Additionally, his long-time ties with the railroad continued to prove a political liability. Following a few brief weeks of campaigning, the aging North Texan retired from the race. With Throckmorton out of the race, the younger and more energetic Jim Hogg received the Democratic nomination and later won the general election.<sup>2</sup>

Throckmorton returned to his home in McKinney, where he became a receiver for the Choctaw Coal and Railroad Company. Apparently, he was enthusiastic about his new

position, because the main office of the Choctaw company was located in McAllister, Oklahoma, which was a near his home. For the first time in his life, the old politician envisioned spending his latter days near his family.

Throckmorton assumed his duties at McAllister in the summer of 1893, and all seemed well. The North Texan ran his office smoothly and efficiently, and there were even rumors that he might soon be made president of the company.

However, tragedy struck before these plans materialized.

In April 1894, Throckmorton was playing cards with friends when he excused himself momentarily, explaining that he needed to go to his office to send a telegram. He completed his task and left his office to rejoin the card game. As he made his way down the street, the elderly statesman lost his footing and fell to the ground. The fall left Throckmorton unconscious and broke two of his ribs. After a reasonable time passed, his friends became worried and headed toward the Choctaw office. Near there, they found the ex-governor lying on the ground. After he regained consciousness, Throckmorton returned to his home in McKinney, where he remained a few days before going back to McAllister to reassume his duties. He soon became sick and once again had to return to McKinney. Upon his return home, he was confined to his death bed.<sup>3</sup> Throckmorton's

last hours were recorded in the following newspaper account:

Early last night Gov. Throckmorton was asked how he felt. He had been in a stupor for two days with only temporary periods of consciousness and it was during one of these the question was put. He replied: 'Very well,' and nodded his head. Immediately after that he went to sleep as quietly and peacefully as a child. The men of medicine who had been in attendance day and night for many days dozed off, leaving a few watchers to await developments with sleepless eyes. The clock ticked off the minutes with depressing monotony and the hours crept on leaden heels. The sick man slept on. So did the doctors. The clock struck 12. The dying man turned over, opened his eyes once or twice, gasped a little and then went back to rest. The minutes crept along and the watchers by the bedside conversed in low whispers. Just as the clock struck 1 the sleeper awoke with a gasp. His face was drawn and wrinkled with pain and his body was writhing in agony. The physicians were at once aroused and went to work. A crisis was at hand. The slender thread of life vibrated, the convulsion passed, the patient rallied. But there was no more sleep. It was evident that the strength which had withstood death nigh a hundred times was exhausted and the beginning of the end was at hand. From 1 o'clock till daylight stole over the hills the departing spirit tarried awhile in peace. But about 6 o'clock another convulsion as violent as the first shook the weakened frame. He never rallied. At 8:30 he died without having spoken for hours and hours, perfectly unconscious alike the pangs of suffering and the farewells of those whom he had loved so well and who had so well loved him.<sup>4</sup>

By examining Throckmorton's life, scholars are provided with a glimpse into five decades of Texas history. This North Texan's life-experiences reveal much about

southern society as it existed during the latter half of the nineteenth century. Most important, Throckmorton's biography reveals that the South was never a homogeneous society. For example, during the antebellum and Civil War years, whites in the southern states were not united in a defense of slavery. The frontier settlers clearly represented a challenge to the South's slaveocracy. On numerous occasions, Throckmorton challenged the authority of the planters in Texas. However, this is not to say that the Texas frontier was not an viable part of the South. On the contrary, North Texas represented a clear extension of the cultures and customs of the Upper South, while East Texas represented an extension of the Lower South. In fact, while this study only alludes to the fact, Texas represents an excellent case study on the social, political, and economic differences between the states of the Upper and Lower South.

Next, the North Texas politician's disdain for African Americans during the Reconstruction era illustrates that southern racism was multifaceted. During this period of racial strife, Throckmorton, unlike the former planter class, did not attempt to oppress black Texans out of a desire to revive the institution of slavery. Throckmorton's oppressive views toward the freedmen was

directly related to his quest to ensure that conservative Democrats retained political, economic, and social control of the state. While Throckmorton's racist views and his desire to protect white rule in Texas eventually led him to work hand in hand with his former antebellum political foes, such as Oran Roberts, he was not a proponent of the South's "Lost Cause." In fact, it seems certain that he viewed the destruction of the planter class following the Civil War as a positive *good* for small farmers in the North Texas region. Settlers no longer had to worry about falling under the political, social, or economic dominance of elite slaveholders in the eastern part of the state.

Finally, Throckmorton's career exposes the complexity of southern society. Scholars cannot fully appreciate the historical significance of this nineteenth-century politician by examining his racial views alone. While his racism influenced his political decisions, one cannot overlook his personal political ambitions, his commitment to the economic development of Texas, and his conservative political ideology. This study has attempted to examine the experiences of one southern frontier politician and to explain how these experiences influenced his public life, thereby making him less of an *enigma* in nineteenth-century Texas politics.

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1. Wooten, ed., *A Comprehensive History of Texas, 1685 to 1897*, Vol. II, 324; DeShields, *They Sat in High Place*, 271; Hendrickson, *The Chief Executives of Texas*, 90; Elliott, *Leathercoat*, 214-276.

2. Wooten, ed., *A Comprehensive History of Texas, 1685 to 1897*, Vol. II, 324; DeShields, *They Sat in High Place*, 271; Hendrickson, *The Chief Executives of Texas*, 90; Elliott, *Leathercoat*, 214-276.

3. *Ibid.*, 293-94.

4. "Throckmorton Dead," Newspaper clipping located in Throckmorton Scrapbook. James W. Throckmorton Collection, 1838-1888. CAH.

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