THE CRUCIBLE OF FREEDOM:

RECONSTRUCTION VIOLENCE IN TEXAS, 1865-1868

A Dissertation

by

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ABSTRACT

This study examines racial violence in Texas during Reconstruction between the years 1865 and 1868. All incidences of violence were extracted from the Freedmen's Bureau records and organized into a data set by month and year. Statistical tables were created tabulating regional and state levels of violence between 1866 and 1868. The records reveal that violence in Texas possessed a minimum threshold that was economic and labor related, and spikes in violence resulted from the influence of political events on the inflamed white population of Texas. White Texans were predisposed towards violence due to the presence of federal troops, the activities of the Freedmen's Bureau, the forced transition to a free wage labor system, and the challenges to white supremacy.

This study reveals that violence was more widespread than previously thought. Urban areas of the state were as prone to violence as were the more agricultural regions. No part of the state east of the Colorado River was immune from violence. Freedmen were just as likely to experience violence in North Texas as they were in Central or East Texas. Second, despite the assertions of revisionist scholars that political violence has been overemphasized, political factors do account for a significant percentage of the spikes in violence committed against the freedmen. This increase was seen in the months leading up to the 1866 elections, the period immediately following the passage of the

Third Reconstruction Act and Governor Throckmorton's removal from office in July 1867, in the months immediately preceding and following the February 1868 elections, and during the summer when the state's Constitutional Convention was in session. The story that unfolds was one of a struggle to define a new relationship between the two races. However, any new definition would challenge the basic precepts of white supremacy. White Texans outwardly resented the arrival of federal troops, Bureau agents, and Republican politicians, and openly resisted the policies of Reconstruction. Black Texans, as the most visible symbol of this new dynamic in Texas, suffered tremendous hardships and violence as a result.

CONTRIBUTORS AND FUNDING SOURCES

Contributors

All work conducted for this dissertation was completed by the student independently, with the advice and consent of the dissertation committee. This work was supervised by a dissertation committee consisting of Dr. Albert Broussard (Chair of Committee), Dr. Walter Kamphoefner, Dr. April Hatfield, Dr. Henry Schmidt, and Dr. Edward Walraven.

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This study represents the culmination of a long and arduous journey through my graduate studies, including two tedious years of combing through the Freedmen's Bureau Records and compiling an extensive database of violent acts against blacks and their white allies, and another year writing the analysis for this dissertation. During this process I have found myself intellectually challenged and personally rewarded in ways I never thought possible.

I owe a special debt of gratitude to Dr. Albert Broussard, who, while serving as graduate advisor, admitted me into the doctoral program at Texas A&M University, and later served as the chair of my committee. Over the years I have benefited from his mentorship, insight and wisdom. Without which, this dissertation would not have been possible. I must also I extend a special thanks to the members of my doctoral committee: Dr. Walter Kamphoefner, Dr. April Hatfield, Dr. Hank Schmidt, and Dr. Edward Walraven. All of whom I have come to know and appreciate. I cannot express how invaluable their patience, guidance, and insight have meant to me over the years. I could not have had a better doctoral committee. I would be remiss if I did not give Dr. Walter Kamphoefner a special thank you for all the assistance provided with the statistical analysis. I would also like to thank Dr. Kenneth Howell who read, edited, and provided invaluable feedback on the manuscript as it neared completion. Finally, I must acknowledge and thank my parents Dr. William D.

and Carolyn Gorman. I know that at times they never thought this day would come. So, it is with the utmost humility and respect that I dedicate this dissertation to them.

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PREFACE

"Question: State what you know as to the operations or necessity of the Freedmen's Bureau, or some other agency of a similar nature in that State.

Answer. I have paid considerable attention to the actions of the Freedmen's Bureau in various parts of the State; at least such parts as were embraced within the limits of my command, and I am firmly of the opinion that unless the present Bureau or some substitute is maintained for an indefinite period, great wrongs and an immense amount of oppression would be entailed upon the Freedmen... As it exists there at present, the Bureau is totally unable to do all that might be done or that is required to be done.
There is a very strong feeling of hostility towards the Freedmen as a general thing. The great mass of the people there seem to look upon the freedmen as being connected with or the cause of their present condition, and they do not hesitate to improve every opportunity to inflict injuries upon him in order, seemingly, to punish him for this. To show you there hostility further, it is of weekly, if not daily, occurrence that freedmen are murdered. Their bodies are found in different parts of the country, and sometimes it is not known who the perpetrators are; but when that is known no action is taken against them. Cases have occurred of white men meeting freedmen they never saw before, and murdering them merely from this feeling of hostility to them as a class.

Question. What would be the condition of the colored population in Texas, if the people were left to do with them just as they pleased?

Answer. I think a system of laws would be passed, which, while it would not give to former owners the right to transfer freedmen without their consent to another owner, they would still have as much control over their labor as they had before slavery was abolished. And I think, too, they would inaugurate a system of oppression that would be equally as bad as slavery itself."[1]

Testimony of Major General George Armstrong Custer before the Joint Committee on Reconstruction.[2]

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[1] *Report of the Joint Committee on Reconstruction at the First Session Thirty -Ninth Congress*, (Washington, D.C.: Government Printing Office, 1866), Part IV. Testimony of Major General George A. Custer, 75-76.

[2] Thomas G. Nester, "U.S. 7th Cavalry Regiment in Reconstruction, 1865-1876," (Ph.D. Diss. Texas A & M University, 2010). Nester found that Custer was a Democrat and only proclaimed his full support for the Emancipation Proclamation and Lincoln's policies when his promotion to brigadier general was on the line. Custer was, at best, lukewarm to the idea of emancipation

The story of Texas during Reconstruction is one of unprecedented violence and abuse inflicted upon the freedmen of the state. It was the belief of General Philip Sheridan that Reconstruction violence in Texas was more severe than in any other southern state.[3] Whether it was the sheer size of the state or the fact that the state escaped the Civil War without any major battles being fought inside its borders, the people of Texas fostered a deep resentment against Reconstruction and the federal presence inside the state. Union men and freedmen suffered tremendously as a result. Efforts at organizing the freedpeople politically within the state were met with swift and often brutal retaliation from whites who feared a politically active black electorate. Freedmen who attempted to exercise their rights and solicit employment from planters elsewhere met a similarly swift and equally vicious response from those who wanted to keep them tied to the land.

This dissertation is an examination of race and violence in Central Texas, paying specific attention to the Brazos and Colorado River Valleys between 1865 and 1868. The Neches and Trinity River basins were also examined to provide a broader framework from which to assess the overall scope and nature of racial violence and to discern the broader patterns in which violence occurred.

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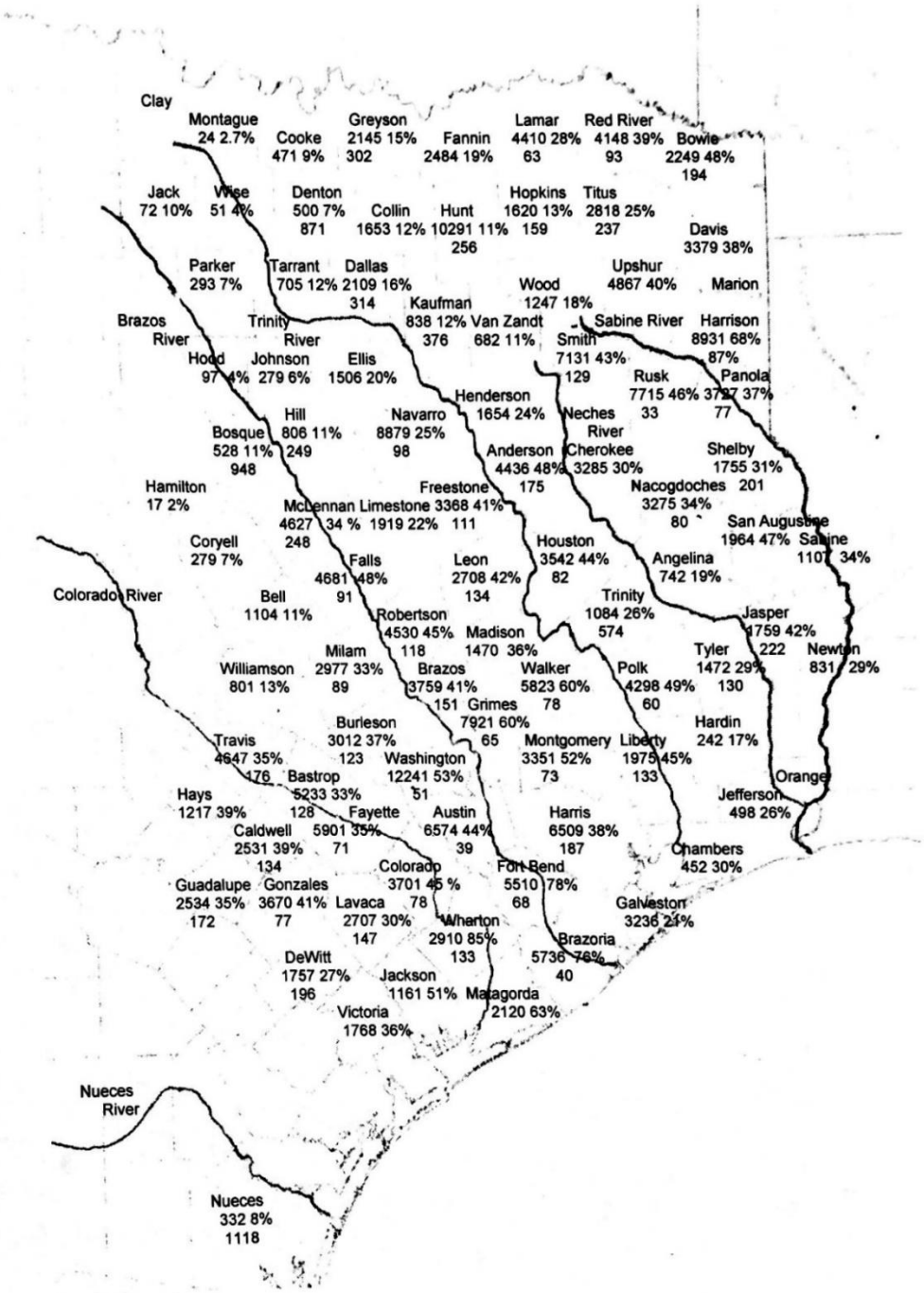
and for him to make observations like the two quoted above speaks to the terrible conditions that confronted the black population of Texas during the early years of Reconstruction.

[3] See Statements made to the *Joint Committee on Reconstruction* by General Phillip Sheridan United States Congress, *Report of the Joint Committee on Reconstruction at the First Session Thirty -Ninth Congress*, (Washington, D.C.: Government Printing Office, 1866), Part IV.

Each of these areas possessed rich fertile farmland and significant slave populations. This study quantifies racial violence in Texas between 1866 and 1868 to understand the factors behind the attacks on the black population. Chapter One provides an overview to racial violence within the state. Chapter Two focuses on the Lower Brazos River Valley and the tumultuous events that occurred there, including the Millican Race Riot and the Brenham Fire. Chapter Three studies patterns of violence along the Upper Brazos River Valley, while Chapter Four concentrates on violence along the Lower Colorado River Valley. Chapter Five examines the relationship between racial violence and Reconstruction politics. Chapter Six provides a statistical comparison between the four major river valleys of the state and draws conclusions about each region's propensity for violence, and for the state in general. The story of Reconstruction violence that African-Americans experienced in Texas serves as a harsh and painful reminder of the effects that unrestrained racism and lawlessness can have on entire communities. This dissertation adds depth and clarity on how frequent and widespread acts of violence were within the state.

1870 Black Population Distribution of Texas Counties



*There are three possible numbers underneath each county. The First number is the county's black population. The second is the percent of blacks in each county's total population. The third number is the index of representation value in relationship to total incidences of violence committed against the black population of Texas between 1866 – 1868.
*The Map and all statistics within are the sole creation of the author.

CHAPTER ONE

INTRODUCTION TO RECONSTRUCTION VIOLENCE IN TEXAS

The end of the Civil War offered a new beginning for race relations in the United States. The passage of the Thirteenth and Fourteenth Amendments, which guaranteed freedom and citizenship, offered hope to millions of freed slaves throughout the South. However, changes to southern political and economic institutions led white southerners to use tactics of intimidation, violence, and outright murder in an attempt to maintain their antebellum way of life. As a result, former slaves and their families soon discovered that their ability to exercise their new found political and civil rights were blocked by new legal restraints and outright violence. Freedmen's Bureau records, the WPA Slave Narratives, and Newspaper articles and the provide insight into the tremendous hardships and violence that confronted black communities in Texas.[4]

The severity of violence in Texas, as well as other southern states, prompted Congress to create the Congressional Joint Committee on Reconstruction in 1866. Interviewing military personal, Unionists and ex-

[4] John Gorman, "Reconstruction Violence on the Lower Brazos River Valley," *Still the Arena of Civil War*, *Violence and Turmoil in Reconstruction Texas, 1865-1874, Kenneth* W. Howell ed. (Denton: University of North Texas Press, 2012): 387. For a look at how newspapers covered Reconstruction violence in Texas see Mary Jo O'Rear, "A Free and Outspoken Press: Coverage of Reconstruction Violence and Turmoil in Texas Newspapers, 1866-1868," *Still the Arena of Civil War,* 267-285.

Confederates, the committee hoped to discover the current state of affairs in the South. Among the many conclusions reached by the Joint Committee, one of the most striking was that white southerners were violently attacking Unionists and freedpeople throughout the South.[5] Two years later the state's constitutional convention convened a special committee to examine lawlessness and violence. The result was the "Report of the Special Committee on Lawlessness and Violence in Texas," which was submitted to the Convention on July 8, 1868. The report detailed how individual whites, ex-Confederates, outlaws, and groups of whites, including the Ku Klux Klan, terrorized and victimized Unionists and freedpeople in the state. The report also revealed the extent to which these individuals and groups worked to subvert and undermine federal policies.[6] Collectively, the documents listed above provide vivid contemporary accounts of the violence that was commonplace during Reconstruction.[7]

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[5] United States Congress, *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress*, (Washington, D.C.: Government Printing Office, 1866), Part IV.

[6] Journal of the Texas Constitutional Convention (1868-1869), *Report of the Special Committee on Lawlessness and Violence in Texas* (Austin: Printed at the office of the Daily Republican, 1868), Hereafter cited as *The Report of Special Committee on lawlessness and Violence in Texas.* Also see Barry Crouch "A Spirit of Lawlessness: White Violence, Texas Blacks, 1865-1868," *Journal of Social History* 18 (December 1984): 217-32.

[7] For a good overview on the federal and state response to the rise of the Ku Klux Klan see Everette Swinney, *Suppressing the Ku Klux Klan: The Enforcement of the Reconstruction Amendments, 1870-1877,* (New York: Garland Publishing, 1987). In Texas, see James Smallwood, "When the Klan Rode: Terrorism in Reconstruction Texas," *Still the Arena of Civil War,* 214-242.

The first dominant historical view of Reconstruction reflected the widespread racism in both the North and the South during the years following the end of the Civil War. This view was reinforced by the imperialism of the late 19th century and the racial aspects of Social Darwinism that accompanied it. Writing at the beginning of the 20th Century, William A. Dunning argued that federal policies during Reconstruction were misguided. Dunning asserted that Radical Republicans imposed hostile policies that were doomed to failure.[8] Other historians writing during this time suggested that the violent actions of terrorist groups, such as the Klan, or similar organizations like the Knights of the Golden Circle, were no different from those of Republican organizations like the Union Leagues. The violence that ensued was the result of the two sides vying for political control of the South. These early historians asserted that southern groups like the Klan were honorable and "noble" associations attempting to save the South from "[N]egro Rule." But, even Dunning school scholars like Charles W. Ramsdell recognized that Texas was a violent place during Reconstruction.[9]

Journalist Claude Bowers' *The Tragic Era: The Revolution after Lincoln* details white southerners' struggle for the preservation of the southern way of life. Bowers finds that the freedmen were childlike and had fallen under the

[8] William A. Dunning, *Reconstruction: Political and Economic* (New York: Harper & Brothers, 1907); also see Dunning, *Essays on the Civil War and Reconstruction* (New York: Macmillan, 1897).

[9] Charles W. Ramsdell, *Reconstruction in Texas* (New York: Columbia University, 1910): 127-133. For more on the activities of the Klan during Reconstruction see Stanley Horn, *Invisible Empire: The Story of the Ku Klux Klan, 1866-1871* (Boston: Houghton-Mifflin, 1939).

influence of demagogues, soldiers, Freedmen's Bureau agents, and carpetbaggers, and if they had been left alone, they would have turned to white leadership for stewardship and guidance.[10] Bowers argues that Republican rule in the South led to black inequality and corruption. Bowers concludes that "[N]egro Rule" was justification enough for white southerners to use violence to redeem the South from the misguided policies of Republican governments.[11]

By the 1920s the Progressive school emerged. In varying degrees, scholars began to challenge many of the precepts of the Dunning school. Influenced by the new social sciences, these historians tended to focus on the social and economic aspects of history. In 1939, Francis B. Simkins' "New Viewpoints of Southern Reconstruction" denied that Reconstruction was radical and asserted that, in fact, Radical Reconstruction had many positive achievements. Radical Reconstruction failed in his view because it did not provide the freedmen with a secure economic base. Simkins does point out that the Dunning school had provided a distorted picture of Reconstruction because they assumed that blacks were racially inferior.[12]

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[10] Randolph B. Campbell, "Carpetbagger Rule in Reconstruction Texas: An Enduring Myth," *Southwestern Historical Quarterly* 97 (April 1994): 587-596. Campbell provides an excellent analysis as to why the myth of carpetbagger control continues to thrive in popular culture, in spite of the fact that many revisionist historians, including Carl Moneyhon's study *Republicanism in Texas,* have demonstrated that claims of Carpetbagger rule cannot be sustained with historical evidence.

[11] Claude G. Bowers, *The Tragic Era: The Revolution after Lincoln* (Boston: Houghton Mifflin, 1929).

[12] Francis B. Simkins, "New Viewpoints of Southern Reconstruction," *Journal of Southern History* 5 (February 1939). Also see Francis B. Simkins and Robert Hilliard Woody, *South Carolina during Reconstruction* (Chapel Hill: N.C., 1932).

During the Great Depression scholars continued to interpret Reconstruction from an economic perspective. Howard Beale's *The Critical Year: Andrew Johnson and Reconstruction* argues that in the chaos following the end of the Civil War northern business interests seized control of the federal government to further capitalism in the country.[13] However, the most important revisionist account written during the 1930s was W. E. B. Du Bois's *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880*. Du Bois contends that freedmen had risen to the challenge of Reconstruction by restoring democracy to the South and had given the South its first public school system. Writing from a Marxist viewpoint (largely absent from his 1910 article on the subject), Du Bois took exception to Beale's interpretation. Du Bois claims that northern capitalists formed an alliance with freedpeople and poor whites in the South to create a democratic society in the southern states. Du Bois concludes his study with a bibliographical essay entitled "The Propaganda of History," that vigorously denounced the biased writings of white scholars that blamed the freedmen for the failure of Reconstruction.[14] However, while

[13] Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction* (New York: Harcourt Brace, 1930).

[14] W.E.B. Du Bois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (New York: Harcourt Brace, 1935, reprinted as Black Reconstruction in America [Cleveland: World, 1964] and [New York: Atheneum, 1992]). For the 1910 article see W. E. Burghardt Du Bois. "Reconstruction and Its Benefits," *The American Historical Review* 15 (1910): 781-99. Also relevant is Du Bois' article "Reconstruction, Seventy-Five Years After," *Phylon* (1943): 205-212.

providing new insights into Reconstruction, Great Depression Revisionist literature did little to explain the state of lawlessness and violence that was so pervasive during Reconstruction.

Reacting to the Civil Rights movement of the mid-twentieth century (sometimes characterized as the “Second Reconstruction”), historians began to reevaluate earlier interpretations of Reconstruction. Revisionist historians rehabilitated the image of the Republican Party and the freedmen. Also, they highlighted the destructive character of white southerners who opposed Reconstruction policies. These scholars viewed Reconstruction as progressive in nature, and as an attempt to establish racial and political equality. Initially, Revisionists saw the violence that occurred in the South during Reconstruction as the result of a political struggle for control of state and local governments. Kenneth Stampp's *The Era of Reconstruction, 1865-1879* offers a revisionist explanation for the Republicans failure to achieve black equality, and the destructive influence that Conservative Democratic rule had on the development of the South. Stampp directly refutes the Dunning school’s interpretation that slavery was just a benign aspect of Southern culture. Stampp was critical of Charles Beard’s *Second American Revolution,* which saw Reconstruction policy inspired by the economic interests of northern big business. Stampp does admit that Beard and others made a valuable contribution to history by calling attention to the economic aspects of Reconstruction, but asserts that they went too far by excluding almost all other factors. Stampp also disposes of the question of

whether the Radicals were motivated by "idealism" or by "partisanship," stating that there was not an inherent contradiction between the two.[15]

Scholars over the next two decades continued to focus primarily on the political side of Reconstruction. They held the view that most Radical Republicans were sincere in their efforts to obtain basic rights for the former slaves. These studies also revealed that Moderate and Radical Republicans worked together because they feared that Presidential Reconstruction was placing the South back in the hands of ex-Confederates and former Secessionists.[16] Other scholars argued that Reconstruction failed because of either the presidential policies of Andrew Johnson or Ulysses S. Grant.[17] Revisionist scholars writing during the 1970s and 1980s did addressed violence in the southern states; however, it was only in relationship to how it affected the Republican Party.[18]

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[15] Kenneth M. Stampp, *The Era of Reconstruction, 1865-1879* (New York: Knopf, 1965).

[16] For more information of secession and Unionism in Texas see "Claude Elliott's "Union Sentiment in Texas 1861-1865," *Southwestern Historical Quarterly* 50 (April 1947). For a more recent study see Walter L Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 2012); Andrew F. Lang, Memory, "The Texas Revolution, and Secession: The Birth of Confederate Nationalism in the Long Star State," *Southwestern Historical Quarterly* 114 (July, 2010): 20-35. For an examination of the members who attended the Secession Convention see Ralph Wooster, "An Analysis of the Membership of the Texas Secession Convention," *Southwestern Historical Quarterly* 62 (January 1959): 331, 335, 339.

[17] Though outdated, the best account of Presidential Reconstruction in Texas is Ramsdell, *Reconstruction in Texas*, and Recently, revisionist studies have challenged many of Ramsdell's findings. These works include Richard R. Moore, "Radical Reconstruction: The Texas Choice," *East Texas Historical Journal* 16 (1978): 15-23; and Nora Estelle Owens, "Presidential Reconstruction in Texas: A Case Study," (Ph.D. diss., Auburn University, 1983).

[18] Also see John Pressley Carrier, "A Political History of Texas during the Reconstruction, 1865-1874," (Ph.D. diss., Vanderbilt University, 1971): 118; Barry A. Crouch, "A Spirit of Lawlessness: White Violence; Texas Blacks, 1865-1868," *Journal of Social History* 18 (Winter 1984): 217-232;

Eric Foner's *Reconstruction: America's Unfinished Revolution, 1863-1877* marked an important new direction in Reconstruction literature because Foner placed emphasis on the on the experiences, perceptions, and aspirations of black southerners. The author asserts that blacks themselves helped to set the agenda for Reconstruction. They defined freedom to mean the granting of full citizenship and giving them autonomy from white control in religious, family, and economic terms. Foner's thesis is that Reconstruction was radical, even revolutionary in nature, claiming that it fundamentally altered the political, social, and economic fabric of the nation. Five different themes are intricately woven into the narrative: the republican tradition of the United States; the centrality of the black experience to the principles of Reconstruction; the remaking of southern society; the evolution of race and class relations in the postwar South; and the emergence during the Civil War and Reconstruction of a national government with vastly expanded authority.

Foner finds that during Reconstruction republican ideas about the nature of citizenship permeated black culture, and that the republican tradition, with its emphasis on property ownership, helped blacks legitimize both the demand for equality before the law and the pervasive desire for land. Foner concludes that black politics was intricately connected to the American republican tradition.

Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Alfred A. Knopf, 1979): 274-282; Donald G. Nieman, *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868* (Millwood, New York: KTO Press, 1979): 14; Robert Walker Shook, "Federal Occupation and Administration of Texas, 1865-1870," (Ph.D. diss., North Texas University, 1970): 193-207.

Foner portrays the political mobilization of the black community as one of the most striking features of the Reconstruction era. Rather than passive victims, blacks were active agents in the Reconstruction process. Foner asserts that black participation in the political process after 1867 was the most radical development of Reconstruction, depicting it as a massive experiment in interracial democracy without precedent in the history of any country that abolished slavery in the 19th Century.

Foner concludes that the attempt at creating a nation based on interracial democracy fell short of accomplishing its goal. The post emancipation struggle between the white planters and freed blacks was inevitable. However, it is certain that Reconstruction transformed the lives of southern blacks in immeasurable ways. It redefined blacks' status within society, raised their expectations and aspirations, and created the framework that enabled them to survive the repression that followed.[19]

During the 1980s a group of scholars began to focus on terrorism, violence, and their political and economic effects on southern society. George Rable's *But There Was No Peace* examines the multiple causes for the reaction of the South to Reconstruction. Rable finds that, among other things, the violence that erupted emanated from the shear physical destruction of the South, the fear of northern Republicans as agents of change, the resentment of

[19] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988): 659. For an excellent treatment of the black family during Reconstruction see Herbert Gutman's *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon Books, 1976).

a continued federal troop presence, and the widespread acceptance of white supremacist ideology. Rable argues that there were three phases to post war violence: racial confrontations between 1865 and 1866; a counter revolution in 1868 ignited by terrorist groups, such as the Klan, opposed to Congressional Reconstruction; and finally between 1874 and 1876 Democrats mobilized their state party organizations to coordinate with terrorist groups to defeat Republican candidates in their state elections. Rable concludes that violence was a critical component in facilitating an end to Reconstruction.[20]

Following a similar line of thought, Allen W. Trelease's *White Terror: The Ku Klux Klan and Southern Reconstruction* argues that the Klan instituted a reign of terror upon the freedpeople of the South, whom they whipped, shot, hanged, raped, robbed, or otherwise just simply brutalized unmercifully. Trelease sees the Klan's use of violence as an attempt to restore white supremacy in the southern states by suppressing the black vote and undermining the election of republican governments in the South. Trelease states that the Klan was extremely effective in disrupting the formation of Union Leagues in many counties throughout the South, and the Klan was more active in areas of the South where the black and white populations were similar in size. However, he does point out that the Klan and other terrorist organizations were

[20] George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (1984, reprint Athens: University of Georgia Press, 2007).

also active in areas of the South where either black or white populations constituted a majority.[21]

William L. Richter and Robert W. Shook are the main antagonists in the debate over the role and influence the military had in Texas' social and political sphere. Richter's *The Army in Texas during Reconstruction, 1865-1870* asserts that Texans were hostile to military rule, and in situations of potential violence, the presence of federal troops seemed to generally provoke armed resistance. Richter, as did Ramsdell before him, believes that the army occupation of Texas was problematic because of the psychological and cultural impact it exerted upon the state and its citizens. Thus, Richter blames the military for much of the violence in Texas.[22] However, Robert W. Shook focuses on the civilian provocation of the military and the general state of lawlessness that prevailed throughout the Reconstruction period.[23] Shook argues that the extent and ramifications of military occupation has been highly exaggerated. He correctly finds that there were too few troops stationed in the state (less than 5,000 by

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[21] Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (New York: 1971): 137. For a closer look at racial violence related to the Klan in Texas see Barbara Leah Clayton, "The Lone Star Conspiracy: Racial Violence and the KKK Terror in Post Civil War Texas, 1865-1870," (M.A. Thesis, Oklahoma State University, 1986). For a more general treatment of racial violence in Texas during Reconstruction see Douglas Hales, "Violence Perpetrated Against African Americans by Whites in Texas During Reconstruction, 1865-1868," (M.A. Thesis, Texas Tech University, 1994).

[22] *William L. Richter, The Army in Texas during Reconstruction, 1865-1870* (College Station: Texas A&M University Press, 1987). Two reviews that challenge Richter's interpretation are Cecil Harper, Jr., in *Locus* 1 (Fall 1988): 95-96, and Carl H. Moneyhon in *Southwestern Historical Quarterly 92* (October 1988): 377-379.

[23] Robert W. Shook, "Federal Occupation and Administration of Texas, 1865-1870," (Ph.D. diss., North Texas State University, 1970). Also see Shook, "The Federal Military in Texas, 1865-1870," *Texas Military History* 6 (Spring 1967): 3-53.

early 1866) to provide either adequate law enforcement, or to affect the social and political reforms that were being attempted by Radical Reconstruction.[24]

The role that the Bureau of Refugees, Freedmen, and Abandoned Lands played in Texas has solicited significant attention from historians. Claude Elliott's "The Freedmen's Bureau in Texas" was one of the first studies to focus on the role of the Bureau in the state. Elliott concludes that the Bureau's only success was its work in education. In many ways Elliott's view was influenced by the scholarship of the Dunning School, especially considering that he dismisses violence against the freedmen as trivial.[25] Examining the Bureau agents themselves, Cecil Harper, Jr. finds that 202 men served as subassistant commissioners in Texas, with almost half serving five months or less. While some of the agents were civilians, the author points out that more than 62 percent were army officers. Additionally, Harper's research reveals that Bureau agents were men of integrity who attempted to perform their job and protect the rights of the freedmen to the best of their abilities.[26]

Studying the Bureau at the local level, James M. Smallwood and Barry Crouch reinforce Harper's analysis. Smallwood examined two Bureau agents in

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[24] For comparisons with other states see James A. Sefton, *The United States Army and Reconstruction, 1865-1877* (Baton Rouge: Louisiana State University Press, 1967), which also contains some useful information on Texas as well. Joseph G. Dawson III, "General Phil Sheridan and Military Reconstruction in Louisiana," *Civil War History* 24 (June 1978): 133-151.

[25] Claude Elliott, "The Freedmen's Bureau in Texas," *Southwestern Historical Quarterly* 56 (July 1952): 1-24.

[26] Cecil Harper, Jr., "Freedmen's Bureau Agents in Texas: A Profile" (Paper presented at the annual meeting of the Texas State Historical Association, Galveston, 1987).

Northeastern Texas and found them to be extremely honest and committed to performing their job.[27] Barry Crouch's the *Freedmen's Bureau and Black Texans* studies the Bureau agents who served in Smith County. Crouch reveals that these individuals believed in their job, were committed to the Bureau and its mission, and were, in most cases, committed to the concept of black freedom. Crouch argues that the immensity of the state, the small number of agents, limited military support, and an angry white population, all worked to undermine the Bureau and the effectiveness of its agents. Despite these serious limitations, Crouch concludes that the Bureau and its agents performed well in Texas.[28] William L. Richter's *Overreached on All Sides: The Freedmen's Bureau Administrators in Texas, 1865-1868* paints a more negative view of the Bureau and its leaders. Richter argues that the ineffectiveness of the Bureau reflected a failure in imagination by both the United States Congress and the Army. Richter finds fault with the Bureau reliance on military personal, who often lacked the necessary background, training, and experience to lead a racial reform movement. However, he does admit that the Bureau's greatest success was in setting up schools for the education of the state's black communities.[29]

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[27] James M. Smallwood, "The Freedmen's Bureau Reconsidered: Local Agents and the Black Community," *Texana* II 4 (1973): 309-320. Also see Smallwood, "Charles A Culver, A Reconstruction Agent in Texas: The Work of Local Freedmen's Bureau Agents and the Black Community," *Civil War History* 27 (December 1981): 350-361; and Smallwood, *Time of Hope, Time of Despair: Black Texans During Reconstruction* (Port Washington, New York: Kennikat Press, 1981).

[28] Barry Crouch, *The Freedmen's Bureau and Black Texans* (Austin: The University of Texas Press, 1999).

The most important function of the Freedmen's Bureau was in its enforcement of the legal rights of blacks. However, it was not until Donald G. Neiman's *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868* that this important topic was addressed. Neiman focuses on the Bureau's efforts to provide the freedmen with legal protection. Neiman asserts that the Bureau failed in this endeavor for several reasons. First, many of the Bureau's officials shared the commonly accepted belief of black inferiority. Second, Congress failed to appropriate the necessary funds to fulfill the Bureau's mission. Third, President Andrew Johnson's control over the Bureau minimized any inclination the Bureau had in securing equality for the newly freed slaves. Finally, white southerners attitudes towards the freedmen produced an unfavorable environment for the Bureau agents. Neiman points out that external forces to the Bureau set the terms for its actions and determined its lack of success. By restoring their land and returning court jurisdiction to the southerners, President Johnson significantly narrowed the Bureau's influence and authority to provide legal protection to the freedmen. In the Civil Rights and the Freedmen's Bureau Renewal Acts of 1866, Congress made no provision for preventing discriminatory administering of the law, instead, confining themselves to banning discriminatory statutes alone. The effect was, that once southern states eliminated the racial bias in their laws, the Bureau had no grounds for

[29] William L. Richter, *Overreached on All Sides: The Freedmen's Bureau Administrators in Texas, 1865-1868* (College Station: Texas A&M University Press, 1991).

interference. Finally, the Bureau's role in labor relations was restricted to acting essentially as a mediator between the planters and the freedmen. Neiman's contribution to the prevailing scholarship is that, instead of placing the Bureau's failure on the racial attitudes of the Bureau personnel, he correctly places blame on the legal and constitutional structure that created a restrictive operational environment for the Bureau. Neiman concludes that it was the same legal system that provided blacks with rights that also denied them the ability to enjoy them.[30]

The scope and nature of Reconstruction violence in Texas has produced scholarship with divergent interpretations over the years. Charles W. Ramsdell's *Reconstruction in Texas* is a reflection of the Dunning School Interpretation of Reconstruction that was so dominant at the time of his study. Ramsdell believes that the Klan emerged in Texas due to the offensive activities of Union Leagues and the unwanted presence of federal troops inside the state. Ramsdell finds that the Klan was active in almost all parts of the state where Union Leagues had been formed. Ramsdell, like others of his generation, viewed the Klan, and similar organizations, as noble citizens who came together to save the South from the sinister machinations of Radical Republicans. Ramsdell concludes that the violence inflicted upon Union men and freedpeople resulted from their own destructive behavior.[31] Allen Trelease devoted some time in *White Terror* to

[30] Donald G. Neiman, *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868* (Millwood, New York: KTO Press, 1979).

violence in Texas, but it was restricted to the activities of the Klan. Similar to his findings in other southern states, Trelease states that the Klan used violence against the freedmen in order to secure white supremacy and challenge Republican rule.[32]

James M. Smallwood's *Time of Hope, Time of Despair: Black Texans During Reconstruction* argues that the main cause of violence against the freedmen during Reconstruction was the desire by whites to maintain white supremacy and political control at both the local and state level. Smallwood finds that the use of intimidation and violence were effective tools that prevented blacks from exercising any real political power. Smallwood concludes that black politicians, like those in most other Southern states, exercised political power only to the extent that whites allowed.[33] Barry Crouch's *The Freedmen's Bureau and Black Texans* reaches similar conclusions as Smallwood, but Crouch points out that scholars have oversimplified politically motivated violence. Crouch asserts that violence often resulted from a wide range of economic and social causes.[34] Gregg Cantrell believes that violence in Texas was an expression of hostility to political conditions and was closely associated with political

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[31] Charles W. Ramsdell, *Reconstruction in Texas* (New York: Columbia University Press, 1910; reprinted Austin: University of Texas Press, 1970). It should be noted that Ramsdell was a student of Dunning so it is no surprise that his study is a reflection of the Dunning School.

[32] Trelease, *White Terror,* 137-141.

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

[34] Barry Crouch, *The Freedmen's Bureau and Black Texans* (Austin: The University of Texas Press, 1991).

developments, especially in 1867 and 1868. Cantrell finds that a more assertive black population provided the most visible symbol of the South's defeat and, therefore, became targets for violent reprisals.[35]

Smallwood, Crouch, and Larry Peacock collaborated in the writing of *Murder and Mayhem: The War of Reconstruction in Texas* that focuses on guerilla bands, the Klan, and other vigilante groups that operated in East and Northeast Texas. The authors do overstate their conclusion that white violence was most responsible for the democratic redemption. They failed to take into account how things like demographic changes, triggered by the immigration of large numbers of conservative whites from other southern states, affected the redeemers victory.[36]

William D. Carrigan's *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836-1916* argues that the intrinsic nature of violence along the Texas frontier, which rapidly declined in the post war years, was directly responsible for a dramatic shift in the nature of racially motivated violence in the years after the Civil War. However, this view is deficient because Carrigan's research focuses primarily on the Waco area, and by applying his conclusions to the entire Central Texas region, he generalizes and overstates the importance that frontier violence and vigilantism played in the changing

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[35] Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas, 1867-1868," *Southwestern Historical Quarterly* 93 (January 1990): 333-355.

[36] James M. Smallwood, Barry A. Crouch, Larry Peacock, *Murder and Mayhem: The War of Reconstruction Texas* (College Station: Texas A&M University Press, 2003).

nature of racial violence throughout the region.[37] The Southampton Insurrection, also known as the Turner Rebellion, that took place in Southampton County, Virginia, during August 1831 killed anywhere between 55 and 65 people. The effect the Turner Rebellion had on the psychology of the South cannot be overstated. Many southern states possessed large slave populations that were close to the percentage of the white population, and in many agricultural regions of the South, the slave population exceeded the white population by as much as 25 percent. Any analysis on racial violence must take into account the long term psychological effects the Turner's Rebellion had on the southern mindset. In the years that followed, fear of slave rebellions spread throughout the South. Slaveholders routinely resorted to intimidation and violence to control and coerce their slave populations. In *Texas Terror*: *The Slave Insurrection Panic of 1860 and the Secession of the Lower South,* Donald E. Reynolds highlights this point. Reynolds finds that, as the threat of slave uprisings spread throughout Texas in the aftermath of the Slave insurrection panic of 1860, racially motivated violence increased in frequency and severity.[38]

Randolph Campbell's *Grass-Roots Reconstruction in Texas* pays special attention to elections at the local, state, and national level. Campbell emphasizes transitions from Confederate to federal administrations, from

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[37] William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas*, *1836-1916* (Chicago: University of Illinois Press, 2004).

[38] Donald E. Reynolds, *Texas Terror: The Slave Insurrection Panic of 1860 and the Secession of the Lower South* (Baton Rouge: Louisiana State University Press, 2007).

Unionist to redeemer control, and from slavery to freedom. Campbell suggests that there were five key factors that shaped the contours of Reconstruction in Texas: the nature of federal authority; the interests and status of local scalawags; the rate of population and economic growth; the proportion of foreign born voters, German and Mexican Americans in particular, who tended to be Unionists and supporters of the Republican party; and the percentage of blacks in the population that determined the electoral strength of the Republican party and the intensity of racial violence.[39] Campbell finds that race relations and competition for local control of the legal and political institutions were the two common denominators that determined the course of Reconstruction in individual counties in Texas.[40]

There are three additional studies that provide an excellent starting point for any research into race and violence in Central Texas during the Reconstruction Era. Building on the work of Campbell, John Gorman's study on *Reconstruction Violence in the Lower Brazos River Valley* finds that violence was directly linked to the percentage of the black population within a county. Gorman also found that the presence of German immigrants in a county did work to diminish violence against the black population.[41] Donald G. Nieman's

[39] Scalawag was a term used derisively by white southern Democrats to describe those white Southerners who collaborated with northern Republicans during Reconstruction, and Campbell's pejorative undertone does diminish the overall quality of his work.

[40] Randolph B. Campbell, *Grass Roots Reconstruction in Texas, 1865-1880* (Baton Rouge: Louisiana State University Press, 1997).

[41] John Gorman, *Still the Arena of Civil War*, 387-420.

African Americans and the Meaning of Freedom: Washington County, Texas as a Case Study, 1865-1886 provides an excellent analysis on the effects of post-Reconstruction violence in Washington County. Neiman finds that, contrary to the commonly held beliefs that violence worked to undermine black political participation, the black community, in a county where they held a slight majority and had some German allies, using the legal and political rights opened up to them by Reconstruction, "exhibited an enthusiasm for democratic politics that, for a while, made public life more open, public policy more equitable, and the concept of equal justice under the law more approachable."[42]

Finally, Ronald Goodwin's "Into Freedom's Abyss: Reflections of Reconstruction Violence in Texas" focuses on the effect violence had on black communities living in Texas. Examining the Texas Slave Narratives, Goodwin found that many blacks in Texas were not prepared for the sudden end of slavery or the responsibilities of freedom. While many of the freedmen were ecstatic about emancipation, many blacks were "just not emotionally prepared to leave their former owners." Goodwin also discovered that many Texas blacks felt caught in the middle between white conservatives and Republicans, and a few even believed that Republicans were not the gracious benefactors they

[42] Donald G. Nieman, "African Americans and the Meaning of Freedom: Washington County, Texas as a Case Study, 1865-1886," *Freedom: Politics* 70 (Kent Law 1994) 541-582. Available at: http://scholarship.kentlaw.iit.edu/cklawreview/vol70/iss2/6. Also informative is Neiman's "Black Political Power and Criminal Justice: Washington County, Texas, 1868–1884," *Journal of Southern History* 55 (August 1989): *391-420.*

presented themselves to be.[43] One of the most striking aspects of Goodwin's study is the frequency of comments found in the Slave Narratives, where blacks themselves tell the story of how whites continually warned them that any and all unacceptable behavior would solicit a violent response, from either individuals or groups of whites, and that they lived in a constant state of fear as a result.[44]

While scholars continue to debate the success or failure of Reconstruction and the Freedmen's Bureau in Texas, there are several general themes that can be identified. First, there was a political war waged between Republicans and Democrats for control of the local and state governments, and black communities, as the largest bloc of Republican voters, suffered an immeasurable amount of cruelty from conservative whites between 1865 and 1868. Next, aside from politics, violence often resulted from economic change and labor related issues.[45] Finally, a violent race war was waged against black communities. Throughout the South, terrorist organizations, such as the Klan, were responsible for numerous atrocities committed against the black population.

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[43] Ronald Goodwin, "Reflections of Reconstruction Violence in Texas," *Still the Arena of Civil War,* 292

[44] Ibid: 293. Goodwin's study also provides eyewitness accounts on how the Klan used physical violence to intimidate entire black communities without fear of reprisals and the emotional toll this had on them. Goodwin also provides eyewitness accounts stating that Republicans encouraged them to vote, but they were powerless to prevent the torture and murder of those who went to the polls. 296-297.

[45] Particularly informative is Carl Moneyhon, *Texas After the Civil War: The Struggle of Reconstruction* (College Station: Texas A&M University Press, 2004). Moneyhon contends that economic motivation may underlay a significant amount of violence inflicted upon the freedmen of Texas.

From 1865 to 1868 there was a total of 939 recorded murders committed in Texas. Of that total, 429 blacks, roughly one percent of the adult black male population between the ages of 15 and 49, were murdered by whites. During the same period only 10 whites murdered by blacks (see table 1).[46] This statistic led the Committee on Lawlessness and Violence to conclude that a race war was raging in Texas, a one-sided conflict that African Americans were losing.[47]

Freedpeople were not the only victims. Organizations of ex-Confederates and conservative Democrats were also targeting prominent Unionists and many Republican judges within the state.[48] However, the committee's most striking findings were the revelations of the degree to which freedpeople were being persecuted, abused, and murdered.[49] The Texas Freedmen's Bureau further reported a staggering 2,225 physical acts of violence committed against the

[46] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), 1866. Testimony of John T. Allen, 88. There were roughly 260 blacks murdered in the states as of January 1866, and their bodies were found in creeks, floating down streams, and simply lying along the roadsides.

[47] *Report of the Special Committee on Lawlessness and Violence in Texas*, 2. The Report also notes that a large number of the murdered whites were union men. For a detailed examination of the demographics of violence in the State see Crouch, "A Spirit of Lawlessness," 218-219. See also "Records of Criminal Offenses Committed in the State of Texas," *Bureau Of Refugees, Freedmen, And Abandoned Lands*, 1865-1869, RG 105. (Hereafter cited as BRFAL).

[48] Ibid: 3. Judge Black, a Republican in Uvalde County, Milton Biggs, a Unionist appointed county judge of Blanco County, Judge Christian, a Unionist in Bell County, were all murdered in 1867. In 1868, four Unionists were murdered in Hunt County and six more in Bell County.

[49] "*Report of Special Committee on lawlessness and Violence in Texas*," 3.

black population of Texas, and of that total, 1220 (55 percent) occurred in the greater central Texas region.[50]

One of the most striking characteristics of violence reported between 1865 and 1868 was the total and complete inability of the local authorities to do anything to prosecute and convict those persons responsible for violent crimes committed against the freedpeople and their white allies. There were 249 indictments for murder in the district courts between 1865 and 1867, but only 10 convictions.[51] This produced a conviction rate of roughly two percent (see table 2). In all, for the approximately 900 reported murders committed in the state, there was one capital execution, and that was of a freedmen in Harris County. Taken together, these figures conclusively indicated that in many areas of Texas there was a complete breakdown in civilian authority and a general lack of respect for human life.[52] There was such animosity within the state that courts would not convict "ex-rebels" for offenses committed against white Union men and freedmen.[53]

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[50] Crouch, "A Spirit of Lawlessness," 218-219. Central Texas as defined by the total acts of violence derived from the freedmen's Bureau records for the counties that make up Brazos, Colorado, and Trinity River Valleys that are subject to this study. (See Statistical tables 4, 5, and 6)

[51] For and examination of the role the district courts played in the failure of Presidential Reconstruction see Campbell, "The District Judges of Texas in 1866-1867: An Episode in the Failure of Presidential Reconstruction," *Southwestern Historical Quarterly* 93 (January 1990): 357-377.

[52] "Report of Special Committee on lawlessness and Violence in Texas," 5. The findings of the Special Committee of Lawlessness and the Violence Registrar compiled by the Texas Freedmen's Bureau allow a detailed examination of racial conflict and violence in the state between 1865 and 1868.

Violence in Texas tended to follow three major patterns: social violence, political violence, and labor violence. Social violence is an overlooked dynamic in the study of race relations. There were no discernable patterns to incidents of violence for violations of accepted social norms, such as: making insulting noises in the presence of whites, speaking disrespectful or out of turn, disputing the word of whites, not standing at attention when a white passed by, and not stepping aside when white women were on the sidewalk. Failure to comply with any of the expected social behaviors resulted in retaliation that included verbal threats and physical violence. While violence of this type was not common, it demonstrated to the black communities of Texas that the prescribed rules of social interaction under slavery still applied.[54]

Bureau records indicate that maintaining social norms was less important than labor and economic factors. It appears that whites in the community frequently used this type of violence to prevent any decay of the social order. These type of assaults were primarily carried out by whites acting independently or in small groups. A young white woman was allegedly insulted by a freedman as they walked by each other on the street. The woman's father and brother attacked the freedman, however, the sheriff managed to rescue him. A few days later the same men accosted the freedman, took him into the woods, stripped

[53] Ibid. In one case, a white man who went to trial and was convicted for committing an offense against a freedman, but was released by the local magistrate who commuted his bond. When the magistrate was confronted by the Bureau agent, he was told in no uncertain terms "You will not send a white man to jail for a nigger." Ibid.

[54] Ibid.

him naked, made him lie face down on the ground, and severely whipped him. In another instance, a black man was publicly whipped for addressing a white man, whom he had known all his life, as "Tom" instead of "Master Tom."[55] Whites who attacked blacks at dances, parties, and social functions did so as groups, apparently angered that blacks found ways to enjoy themselves.[56]

Labor violence was pervasive in the immediate postwar years. Activities that led to this form of violence included, but were not limited to, the following: moving for a better job, securing rations, arranging credit bills, seeking wages and dividing shares. Bureau records indicate that Individual white property holders were primarily responsible for labor related violence. These planters were motivated by a fear of losing a dependable, reliable, cheap labor supply. Bureau records tell a frightful story of blacks assaulted by whites for labor related issues. In Bowie County a freedman named Wyatt Hooks was murdered when he attempted to leave his former owner and seek employment elsewhere. In another incident a black man appeared at the Houston Bureau office still wrapped in the chain that had been used by a Dr. Phillips, who had chained and whipped his former slave because he had refused to stay and work for him.[57]

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[55] Crouch, "A Spirit of Lawlessness," 224.

[56] Ibid.

[57] Reports of F. W. Reinhard, August 1867, "Reports of Operations and Conditions, Records of the Assistant Commissioner for the State of Texas," *Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869* [microform]. Texas A & M University. (Hereafter cited as ROC, AC, T.).

Violence often resulted when blacks sought to assert their freedom. As late as 1868 blacks in Texas were still being held in slavery. Planters throughout the state refused to accept the idea of emancipation. Albert, a freedman in Washington County, challenged his former master Irving Randall in the fall of 1866 about his freedom. Randall responded that he was still a slave and shot Albert in the arm, which had to be amputated. In another instance in Brazos County, a freedman was murdered when he attempted to leave the plantation after officially being freed. Finally, in Dallas County a freedwoman was whipped and kicked by her former master when she attempted to assert her freedom in early 1868.[58] Labor related violence often occurred at the end of the contracting year. Also, it occurred when it was time to collect wages or divide up shares after the harvesting of crops. A large part of a subassistant commissioners time was spent dealing with labor related issues. Those times when a freedman was able to bring their employer before the Bureau agent, the response from his employer was often violent and swift. For example, A Montgomery County freedman named Oliver was killed when he filed a grievance against his employer with the Bureau. In another instance in Anderson County, a freedman named Henry Jones was assaulted and murdered by his employer because Jones had sued him for seven dollars.[59] These

[58] Crouch, "A Spirit of Lawlessness," 223.

[59] Black women were often the targets of violence. Bureau records reveal that there while the overwhelming number of violent acts committed were against black men (approximately 1125), there were over 180 reported incidents of violent acts against black women, and at times the violence inflicted upon black women was horrendous in nature. For example, A Limestone

senseless reports of violence suggests that there was a deep rage felt by many Texas whites, and that much of the violence appears to be purposeless, irrational, and based on a tradition of racial hatred.

An examination of tables 14 and 15 indicates that violence related to social and labor issues fluctuated just above or below the polynomial trendline for violence between the years 1866 and 1868. Table 15 suggests that violence related to economic and social issue was fairly uniform throughout the period. However, the tables also reveal that at certain times violence increased dramatically for a short period of time before dropping back to its normal level. These spikes in violence correspond to political developments at the local, state and national level.

Political violence was often directed at blacks who were involved in local politics, were members of civic organizations, or were leaders in their community. Once organized politically, blacks became a serious threat to the established political and social structures. Many times these acts of violence were perpetrated by small groups of whites, as witnessed in the Millican race riot. The death rate of Texas blacks between 1866 and 1867 rose fifty percent. There is a direct correlation between the increased levels of violence and the

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County freedwoman had her ears cut off and her arms severely burned. Crouch, "A Spirit of Lawlessness," 224. For a closer examination of gender specific violence in Texas see Rebecca A. Kosary, "To Degrade and Control: White Violence and the Maintenance of Racial and Gender Boundaries in Reconstruction Texas, 1865-1868," (Ph.D. diss., Texas A & M University, 2006). Also informative is Kosary's chapter "To Punish and Humiliate the Entire Community: White Violence Perpetrated Against African-American Women in Texas, 1865-1868," *Still the Arena of Civil War.*

rise of black political activism (see table 3).[60] In the immediate post war years, a few blacks did become involved in politics, enjoying their greatest degree of participation at the local level, but even at the state level, nine blacks participated in the state constitutional convention of 1868-69, and eleven were elected to the legislature in 1871.[61] However, in the post-Reconstruction years in Texas, black political participation steadily declined. While 52 blacks attended the state's constitutional convention and served out their two terms in office, only a few continued to win election to the state legislature through the 1890s. It is significant to note that of all the southern states, Texas was the only one not to have a single black occupy an important executive or judicial post during the Reconstruction period.[62]

Planters, ex-Confederate soldiers, and small groups of whites appear to have been primarily responsible for the acts of violence committed against the freedpeople. Planters routinely resorted to violence to coerce a specific response from individual blacks in relationship to their performance of requested tasks. Texas blacks were frequently beaten or whipped for just being late to

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[60] "Report of Special Committee on lawlessness and Violence in Texas," 2. The number of blacks murdered between 1865 and 1867 rose 171 percent from 38 in 1865 to 166 in 1867.

[61] Robert Lloyd Smith from Colorado County was one the last African Americans to serve in the Texas Legislature. He served in the 24th (1895) and 25th (1897) legislatures. Walter M. Burton was one of only four African Americans to win election to the Senate in the 19th century. With enrollment collapsing at Alta Vista Agricultural College he introduced a bill in the 16th legislature to "establish a normal and manual school for colored youth." The result was that Alta Vista was converted into a training school for African Americans teachers and it was eventually renamed Prairie View A & M University. Barry A. Crouch, "Self-Determination and Local Black Leaders in Texas." *Phylon* 39 (4th Qtr., 1978): 344.

[62] Ibid.

work. The Freedmen's Bureau recorded that freedmen were often beaten or whipped with a variety of instruments including pistols, belts, tools, and chains. In many instances, if a freedman attempted to leave the plantations where they were employed, their employers would resort to intimidation and physical violence to keep them bound to the land.[63]

Serving as Inspector General for the Freedmen's Bureau, Brigadier General W.E. Strong traveled throughout the southern states in 1865 and noted that the incidences of cruelty and violence against the freedpeople in Texas exceeded that of any other southern state. In the fall of 1865 General Strong traveled throughout Texas, including the area between Huntsville and Millican. Based on his observations, he testified that the freedpeople were "frequently beaten unmercifully, and shot down like wild beasts, without any provocation, followed with hounds, and maltreated in every possible way."[64] Strong pointed out that in the larger cities of Austin, Galveston, and, Houston, whites were decidedly more favorable towards emancipation and treated the freedpeople with a greater degree of dignity and respect.[65] A possible reason for this difference in tone was a strong federal troop presence in those cities.

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[63] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV). Testimony of Major General David S. Stanley, January 1, 1866. 39.

[64] Ibid: Testimony of Brigadier General W.E. Strong. January 1, 1866. 35.

[65] Ibid: 36. It should be noted that the federal troop presence in those cities was more substantial than elsewhere in the state. Also, their black populations were not close to 50 percent, so the white population had less to fear from a politically active black electorate, and there was not the strong need for labor like there was in the more agricultural regions.

Additionally, slavery was not as predominant in the urban areas during the antebellum years in comparison to rural regions, where slave labor was more important to the economic success of planters. Furthermore, the black population in the larger cities was substantially lower. Thus, the white population had less to fear from a politically active black electorate. What is clear, is that in the larger cities and the few areas where there was a sufficient federal troop presence, whites were more accommodating toward blacks, but in the interior of the state, where the federal footprint was minimal or nonexistent, the treatment of the black population was considerably more brutal and violent. It was the planters' belief that the system of free labor was untenable. Planter's felt that the only way to get work out of the freedmen was to resort to the overseer, the whip, and the hounds.[66] However, General Strong observed something quite different from the white stereotype of the freedmen, noting that if there was any work done, it was done by the freedmen, though they rarely received payment for their labor. Strong estimated that two-thirds of the freedmen, in the areas of Texas he visited, had never received "one cent in wages since they were declared free."[67]

[66] The reality is that the Planters did not want to pay for labor when they use to own the labor supply, so in the absence of federal authority they resorted to coercion and violence in an attempt to maintain the status quo as it had existed prior to the Civil War.

[67] Ibid. Strong points out that he had been informed that there were freedmen east of the Trinity River who did not know they were free and in the area around Mount Jordan and Jasper, on the Neches river and San Augustine the freedmen were still held in a state of slavery, and that along the Trinity River the freedmen did not even know they were free.

There were a few dissenting opinions on the condition of the freedmen population in Texas. Benjamin C. Truman, a correspondent for the *New York Times*, stated that that freedpeople were in far better condition today than they were when they were slaves and, in fact, the freedmen in Texas were doing better than in any of the other southern state. In the Brazos River Valley he noticed that a great many planters were giving the freedmen two-thirds of the crops and he witnessed no abuse or maltreatment of any freedmen. He concluded "that free labor is a success in Texas. Most of the former slaves are with their former masters everywhere in the interior."[68] However, it should be noted that while Truman was a committed Unionist, he was a devoted supporter of President Andrew Johnson. As a result, his reporting likely omitted any criticism of Presidential Reconstruction.[69]

Strong's perception of race relations in Texas seems more accurate. Planters in Central Texas had to contend with vast and far reaching economic changes after the Civil War, and some were forced to file for bankruptcy.[70] Labor in post-war Texas was an extremely valuable commodity, and the

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[68] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV). Testimony of Benjamin C. Truman, Washington, April 5, 1866, 137-138. It must be pointed out that this was one of the only individuals to testify that the freedmen were doing remarkably well in the State and that, in his opinion, the Freedmen's Bureau was no longer necessary in Texas.

[69] For more on the failure of Presidential Reconstruction see Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press: 1985) and Carter, *Scottsboro: A Tragedy of the American South* (Baton Rouge: Louisiana University Press, 1979).

[70] Dale Baum, "Slaves Taken to Texas for Safekeeping During the Civil War," *The Fate of Texas: The Civil War in the Lone Star State,* Charles W. Greer ed. (University of Arkansas Press, 2008): 99.

freedmen tended to accept work more readily from planters who had treated them honorably and fairly during times of slavery. However, the planters continued to believe that free-labor principles were not compatible to their economic needs. This belief made the freedmen apprehensive about working for their former masters.[71] The freedmen learned very quickly which planters treated them fairly. Thus, there was a noticeable shift in the voluntary employment patterns after the Civil War. Freedmen tended to work for those planters who were honest and fair in dealing with them. The resultant labor shortage experienced by abusive landowners led them to return to practicing the methods they had used in the antebellum era to effectively control the freedmen population.[72]

Texas also possessed a strong tradition of vigilante "justice." During the late 1850s secession rhetoric was at a feverish pitch, and with the belief that abolitionists were operating within the state, fear of slave uprisings began to spread throughout the agricultural centers of the state. Vigilante organizations and various types of armed safety committees, which were already in existence, became more active. During the panic of 1860 vigilante groups lynched an untold number of suspected abolitionists in the upper Brazos River Valley. These fears prompted the *State Gazette* to urge local communities to form

[71] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV). Testimony of Brevet Major General Christopher C. Andrews, March 14, 1866, 125.

[72] Ibid. Andrews concludes his testimony by asserting that the freedmen are naturally unfriendly towards whites because they are treated as an abject and inferior race and whites are unwilling to concede to them any of the merits they possess.

vigilante associations, believing that they were necessary to the maintenance of law and order.[73] As the fabric of their communities broke down, Texans begin to draw on this vigilante tradition in an effort to stall or prevent the loss of both their economic and political supremacy.[74]

At the end of the Civil War there were approximately 200,000 slaves in Texas. The great majority resided on the rich plantations situated on the Sabine, Neches, Trinity, Brazos, and Colorado rivers. There were only a few freedmen living north of Waco on the Brazos or north of Austin on the Colorado. Western and Northwestern Texas were wild and uncultivated regions where Native Americans still posed potential threats to settlers.[75] The freedpeople, who lived in areas that contained a high concentration of slaves during the antebellum era, faced tremendous hardships as they attempted to cope with their changed political and economic status. They were routinely assaulted and there were frequent murders, especially in counties where the federal presence was minimal.

The murder of Lucy Grimes in Marshall, Texas was a typical example of the type of violence that freedpeople experienced throughout the state. In

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[73] William D. Carrigan, *The Making of a Lynching Culture,* 75. Moreover, it is important to remember that Texas had been in a state of continual conflict with hostile Native Americans, recently embroiled in a conflict with Mexico, and possessed a strong tradition of vigilantism.

[74] For a more in-depth examination on vigilantism and the fear of slave rebellions in Texas see Carrigan, *The Making of a Lynching Culture,* 48-80.

[75] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Brigadier General W.E. Strong January 1, 1866, 38.

December of 1865, Lt. Colonel H. S. Hall, subassistant commissioner in the northeastern district of Texas, reported that Grimes was taken into the woods by two men, stripped from the waist down, beaten severely with a whip or strap, and then struck on the back of the head with a club, which the local physician determined was the cause of death. The chief justice for the county, D.B. Bonnefoy, refused to issue an arrest warrant based upon the "evidence of a [N]egro."[76] Colonel Hall recalled that in another instance a black woman was seriously injured when she was fired upon by her employer for language he considered offensive. The person responsible for this act was arrested by the military and fined $100.00 dollars.[77] These same types of incidents were commonplace throughout the state. For example, in Brazos County a freedmen named Upton, who was accused of cattle sealing, was forcibly removed from the jail by a vigilante mob and hanged.[78] The *Houston Daily Times* reported that a "[N]egro" man was found hanging from a tree, about one mile east of Bryan. The murdered victim's wife says that a party of white men with painted faces came to the house the night before, tied him up and took him away.[79] These types of incidents were reported in the local newspapers with alarming

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[76] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Lieutenant Colonel H.S. Hall, January 1, 1866, 46-47.

[77] Ibid.

[78] *Daily Austin Republican* 11 July 1868, 2. See also San Antonio Express 17 July, 1868, 2. The *Mobile Daily Register*, 7 August 1868, 4 reprinted from the *Texas Ranger* reports that W.H. Upton, "who was recently hung," as the *Austin Republican* says, "because he was well known for his loyalty, came to his death because he was better known for cow stealing."

[79] *Houston Daily Times*, 9 October 1868, 1.

frequency. Overall, of the estimated 373 blacks murders by whites between 1865 and 1868, approximately 280 of these murders occurred in Central Texas.[80] These acts of violence were indicative of the problems in Texas during Reconstruction. The military lacked the power or the authority to pursue and adequately punish those individuals responsible for crimes committed against the black population, and as seen in the Bryan incident, their hearts were not always in the task.[81]

The task of protecting the rights of the freedmen in the immediate years after the Civil War fell upon the newly created Bureau of Refugees, Freedmen, and Abandoned Lands, which was established March 3, 1865.[82] The Bureau was designed to assist freedmen in their transition from slavery to freedom. The Bureau was also to ensure that freedmen had a "fair chance" by helping them to secure the means to make their own way.[83] The Bureau proved not only to be an invaluable instrument in providing educational activities, but it was also indispensable in providing an avenue through which the freedmen could redress

[80] The murders committed in the Central Texas area were derived from the Freedmen's Bureau records. When a murder was recorded and a county could be identified it was included in this total.

[81] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Lieutenant Colonel H.S. Hall, January 1, 1866, 46-47. Colonel Hall further illustrates this problem by pointing out that General Camby refused to allow any citizen to be punished by a military commission.

[82] For a further examination of the Texas Freedmen's Bureau see Barry Crouch, "The Texas Freedmen's Bureau as a Case Study," *Southwestern Historical Quarterly* 83 (January, 1980): 211-226.

[83] Barry A. Crouch, *The Freedmen's Bureau and Black Texans* (Austin: University of Austin Press,) 1992. xiii.

their grievances against the white population, especially regarding lost wages and acts of violence inflicted upon them. Indeed, the greatest benefit of the Bureau to the freedmen was that it did manage, with varying degrees of success, to provide a semblance of protection to the freedmen against exploitation, abuse, and outright violence. Lieutenant Wilson Miller, who was with the United States Colored Troops stationed in Corpus Christi, asserted that the Bureau was an absolute necessity in Texas in order to protect the freedmen and their rights. He believed that in the absence of the Bureau, and some armed force to back it up, the freedmen's ability to receive justice would be limited and their lives would not be "worth a cent."[84] General Christopher Andrews went even further by pointing out that he had seen copies of contracts entered into between freedmen and planters that contained "so many deductions for loss of time, and charges for medical attendance, and care of children, etc..." that if enforced strictly, would barely be sufficient for the freedmen's room and board.[85] Andrews asserted, “that if the government failed to protect the freedpeople, they would be worse off than they were as slaves.”[86]

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[84] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), January 1, 1866, Testimony of Lieutenant Wilson Miller, 45. Also see testimony of John T. Allen, 89.

[85] Ibid: Testimony of Brevet Major General Christopher C. Andrews, Washington, March 14, 1866, 123-124.

[86] Ibid. 124. Andrews went on to say that, in the areas with which he was familiar, the majority of whites people attempted to obtain the labor of the freedmen at the cheapest possible rates and they would force them to accept these rates through coercion and violence as necessary.

The Freedmen's Bureau operated in Texas from September 1865 through December 31, 1868. All of the assistant commissioners for Texas insisted that the court system accord the freedmen the same legal rights that whites enjoyed. The Bureau also supervised labor contracts entered into by freedmen, aided blacks in organizing schools, and provided safety for the teachers in those schools. However, the sheer size of the state, the hostility of the local white population, and an archaic transportation and communication network worked to undermine the Bureau's ability to fulfill its mission. The Bureau's problems were further compounded by a general lack of funding and manpower throughout its existence. Even with the aid of federal troops, there were never enough agents to adequately complete the Bureau's mission.[87] The one area in which the Bureau apparently enjoyed considerable success was in education. There were just 16 schools serving 1,000 black students at the end of 1865. By the end of 1868, the number of schools had grown to 150, serving 9,806 black students.[88]

The election of Governor James Webb Throckmorton on June 25, 1866 represented a new era in Texas politics. Throckmorton was part of a conservative political movement.[89] The new Conservative Union Party, which

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[87] Cecil Harper, Jr., "Freedmen's Bureau Agents in Texas: A Profile" (Paper presented at the annual meeting of the Texas State Historical Association, Galveston, 1987). The number of sub assistant commissioners went from a low of 27 to a high of 59.

[88] Richter, *Overreached on All Sides*, 57. Richter attempts to underscore the one success of the Bureau in Texas by mentioning that at the time of the Bureau 's closing its assistant superintendent noted that the burning of school houses and the harassment of teachers, that was so common in 1865, had virtually disappeared by 1870.

[89] For insight into the life of Governor Throckmorton, but also insight into the complexities of politics in Texas during Reconstruction see Kenneth W. Howell's *Texas Confederate,*

combined secessionist, agrarian Democrats with anti-secessionists, generally agreed that the "[N]egroes" would have a limited role in post war society. In August the new legislature passed a series of laws that are infamously known as the "black codes."[90] These new laws: granted freedom to Texas blacks; defined a colored person as anyone with one eighth or more African blood; granted blacks the right to enter into contracts; to inherit or purchase real and personal property; and stated that Texas blacks were to enjoy liberty and personal security without discrimination. However, the laws also stipulated that blacks could not serve on juries, vote in state elections, or testify in state courts, unless the case involved another person of color or his property.[91]

The election of a conservative government in Texas in June 1866 was a continual source of irritation for the senior commander of the Department of the Gulf, Gen. Philip H. Sheridan, who had little time to be distracted by developments in Texas because the situation in Louisiana required his immediate attention.[92] In an effort to effectively maintain control of both states, Sheridan appointed Brevet Maj. Gen. George W. Getty to supervise military

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Reconstruction Governor James Webb Throckmorton (College Station: University of Texas A&M Press, 2008).

[90] Barry A Crouch, "All the Vile Passions": The Texas Black Codes of 1866," *Southwestern Historical Quarterly* 97 (July 1993): 12-34.

[91] Richter, *Overreached on All Sides,* 94.

[92] On July 30, 1866 the New Orleans race riot broke out as a result of the passage of "black codes" in Louisiana. Former Confederates, aided by the police, attacked a gathering of about 200 blacks and 25 Republican delegates who were attempting the reconvene the constitutional convention. Close to 100 people were injured in the riot including 34 blacks and 3 white Republicans that were killed.

affairs in Texas.[93] Unfortunately Getty, who was still recovering from an injury sustained in 1864, collapsed from the rigors of the Texas command. The result, was a void in command and control within the District of Texas. Governor Throckmorton and the state legislature eagerly exploited this situation and started to exert greater control over the state's internal affairs. They attempted to raise volunteers for the purpose of defending the frontier counties; passed the black codes; verbally attacked the Freedmen's Bureau; and rejected both the Thirteenth and Fourteenth Amendments.[94] The cumulative effect of these events, within the state government and the citizenry at large, was to foster a strong independent streak and a belief that Reconstruction was effectively over. As state officials began the process of reasserting state sovereignty, whites at the local level began to reassert their control over the freedmen, who were themselves trying to assert their own freedom and independence. The result was an atmosphere conducive to conflict and violence.[95]

In order to gain a greater understanding of the motivating forces behind the violence in Reconstruction Texas, this study focuses primarily on the Brazos and Lower Colorado River Valleys, but will also examine race relations and

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[93] Richter, *Overreached on All Sides*, 291. Richter states that Sheridan's problem was that the New Orleans Race Riots had just occurred and these developments in Louisiana required his full attention.

[94] Ibid: 292.

[95] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Major General David S. Stanley, January 1, 1866, 39. Stanley also testified that there was a widespread belief among the people of Texas that the state had not been surrendered by Lee. He also pointed out that the largest support for the union came from Germans in the densely populated western counties.

violence in other areas of the state, including the Trinity and Neches River Valleys. The Lower Brazos River Valley consists of Brazos, Grimes, Washington, Austin, Fort Bend and Brazoria counties; Burleson, Falls, Milam, McLennan, and Robertson counties form the Upper Brazos River Valley; Bastrop, Colorado, Fayette, Travis and Trinity counties form the Lower Colorado River Valley; Anderson, Freestone Houston, Kaufman, Leon, Liberty, Navarro, Polk, Walker, and Wharton counties constitute the Trinity River Valley; and the counties of Jasper, Nacogdoches, Rusk, Shelby, Smith, and Tyler form the Neches River Valley. These counties were selected because each possessed rich farmland and contained significant black populations during the Reconstruction era. two data sets were compiled to quantify the violence that took place in the Texas. In the first data set all incidents of violence reported to the Freedmen's Bureau were extracted from the Freedmen's Bureau records for the years 1866 through 1868. The data was organized by the month and year in which the acts occurred, the type of violence, and if known, the name, age, and race of the accused and victim. This data set is not without its limitations. There is a statistical limitation inherent in the data set because an untold number of violent crimes went unreported out of fear, intimidation, and threats of violence, and, in many instances, it was impossible to determine exact name of a person or county an act of violence occurred in. However, this data set will allow for regional comparisons between the four regions to be made, and it does illustrates important trends in race relations within the State of Texas.

The second data set was created in order to illustrate demographic trends over time within the counties of this study. Population totals for each county were extracted from the U. S. Census records for the years 1860 and 1870 and organized by total population and ethnicity for each county.[96] The resulting data sets reveal several critical findings: First, violence was more widespread than previously thought. Urban areas of the state were as prone to violence as were the more agricultural regions (see table 9). No part of the state east of the Colorado River was immune from violence. Freedmen were just as likely to experience violence in North Texas as they were in East or Central Texas (see tables 4-8, and 12). This suggests that violence in Texas was more uniform throughout the state than previously thought, and that no matter where they were in the state, the freedpeople of Texas lived in a continual state of fear. Second, despite the assertions of some revisionist scholars that political violence has been overemphasized, political factors do account for a significant percentage of the spikes in violence committed against the freedmen. This increase was prior to the 1866 elections, as well as the period after the passage of the Reconstruction Acts of 1867, and in the months before and during the Constitutional Convention in 1868 (see Table 14). The data indicates that violence in Texas possessed a minimum threshold, and that the spikes in violence witnessed between 1866 and 1868 (see tables 13-15) resulted from the

[96] *U.S. Census Bureau. Population Density, 1860, 1870, Prepared by Social Explorer, (accessed May 18 13:58:03 EST 2017).*

influence of political events on the already inflamed white population of Texas, who were already predisposed towards violence due to the presence of federal troops, the activities of the Freedmen's Bureau, the forced transition to a free wage labor system, and the challenges to white supremacy.[97]

[97] It would be of great interest to discover if these spikes in violence were witnessed in other states as well.

CHAPTER TWO

RECONSTRUCTION VIOLENCE IN THE LOWER BRAZOS RIVER VALLEY*

On May 26, 1865 Lieutenant General Edmund Kirby Smith, commanding the Trans-Mississippi Department, surrendered the last organized Confederate army to Union Brevet Major General Edward R. S. Canby at New Orleans. Texas immediately fell into complete chaos. Former Confederate soldiers broke into arsenals and took arms and munitions before going home. Confederate Brigadier General Joseph Shelby violated the terms of surrender and lead a mounted column of 3,000 men to Mexico. Texans boasted that "they were not conquered and that they would renew the fight at some future date." The *San Antonio News* expressed the feeling of many proclaiming in an editorial: "No sane man could even consider surrendering to the Yankee invasion force without endorsing the outcome of the war. Death was far preferable to capitulation."[98]

Such was the unreconstructed attitudes facing Brevet Major General Gordon Granger, who arrived at Galveston on June 19, 1865 and assumed command of all federal troops in the state. Over the next few weeks federal troops fanned out from Houston to Liberty, Brenham, Hempstead, and Millican.

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[98] *San Antonio News*, May 26, 1865, 2.

Patrols regularly visited small towns in the area to promote the "cause of loyalty, safety, and industry." However, the continual mustering out of federal troops severely restricted the federal presence in Central Texas, and contributed to the continued spirit of lawlessness and defiance that permeated the region.[99]

Prior to the outbreak of the Civil War, Brazos County was one of the fastest growing counties in Texas, due in large part, to the arrival of the Houston and Texas Central Railroad, with Millican as its terminus. In 1860 the county's population was composed of 1,713 whites and 1,063 slaves, with 118 slaveholders. Among the slaveholders, seventy-seven of them owned fewer than five slaves and four owned more than 50. There were 14,509 cultivated acres, composed mostly of small farms and a few large plantations. The county overwhelmingly supported secession and the Confederate cause. However, the war's end brought new labor and political struggles to the county. The result, was a sharp and often violent struggle between whites and blacks as they attempted to come to terms with the changing social and economic landscape.[100]

Racial violence reached an apex in 1868 with the appearance of the Ku Klux Klan in the county. In part, the emergence of the Klan coincided with the

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[99] Gorman, *Still the Arena of Civil War*, 395; Richter, "It is Best to Go in Strong Handed: Army Occupation of Texas, 1865-1866," *Arizona and the West* 27 (Summer 1985): 134. Richter provides insight into what factors influenced the decisions behind how the federal occupation of Texas was to proceed.

[100] Glenna Fourman Brundidge, *Brazos County History: Rich Past, Bright Future* (Family History Foundation; First Edition, 1986): 15.

rise of black participation in local and state politics. Additionally, demographics of the county were further destabilized during the period by the extension of the Houston and Texas Central Railroad from Millican to Bryan, with the latter becoming the new county seat. Other towns, including Millican and Boonville witnessed a sharp population decline, as their inhabitants took their businesses and their homes and moved to Bryan, which by 1870 would see its population triple to 9,205.[101]

The awakening of black political consciousness in Brazos County led directly to one of the worst incidences of violence in Texas during Reconstruction, the Millican Race Riot.[102] Before the war, Millican possessed a slave population that was almost equal to the white population, and the influx of refugees from other southern states further increased the slave population. By 1868 Millican's black community was becoming more politically active, especially after George E. Brooks organized the Millican Union League. The impact of the Union League was evident when voters sent a freedman, Stephen Curtis, to the State Constitutional Convention in 1868. Curtis' election was significant because it represented a direct challenge to the white community's traditional control of the political process.[103]

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[101] Elmer Grady Marshall, *History of Brazos County* (M.A. thesis, University of Texas, 1937): 51.

[102] For the account of N. H. Randlett, Subassistant Commissioner Brazos County, who published a letter giving his account of the origins of the riot at Millican. See the *Galveston Daily News*, Thursday August 13, 1868.

[103] Gorman, *Still the Arena of Civil War*, 396. Also see *Texas State Library Archives Commission: The 1860s: Freedom at Last*,

Violence was a way of life for the black community in Millican, and civil authorities had no interest in investigating criminal offensives committed against its black population. However, in Millican, as in other places throughout the South, the black community was developing a group consciousness that led them to band together for their own protection. Klan activities in and around Millican appear to have intensified the black community's fear, but it was the murder of a black man just five miles from the sheriff's house, and his refusal to hold the accused murderer in jail, that caused the black community to raise and train a militia.[104] The confrontation that ensued, which became known as the Millican Race Riot, was reported in newspapers throughout the country, including the *New York Times*. The riot would leave Brooks, and six other Millican blacks dead, with two more wounded.[105] It was not by accident that the two most prominent leaders of Millican's black community were killed during the riot, and with their primary organizers out of the way, the black community of Millican struggled to maintain a semblance of community organization and structure.[106]

(http://www.tsl.state.tx.us/exhibits/forever/freedom/page6.html) for further details on the ten African-Americans who were elected to the 90-delegate convention, including Charles W. Bryant, James McWashington, Stephen Curtis, Sheppard Mullens, Wiley Johnson, George Ruby, Mitchell Kendal, Benjamin Watrous, Ralph Long, and Benjamin Williams.

[104] Barry A. Crouch, "Self-Determination and Local Black Leaders in Texas," *Phylon* 39 (4th Qtr., 1978): 350. Crouch speculates that it was probable that on some level the white community's fear of armed blacks had its roots in some of the more notorious armed slave rebellions throughout the south prior to the civil war and, if you are trying to manipulate and control a specific part of the population, you do not want them to organize, vote, or to arm themselves. These things could create a serious challenge to white supremacy and control if left unchecked.

[105] *New York Times*, August 6, 1868. (Reprint from *Flake's Bulletin*, July 29, 1868).

The Millican riot was the most famous of the conflicts between whites and blacks in Brazos County; however, it was not an isolated incident. Area newspapers reported numerous accounts of violent attacks committed against the county's black population. A sampling of the various newspaper accounts paints a striking picture of violence in and around Brazos County. *Flake's Bulletin*, published by a German Unionist in Galveston, reported the following incident in 1867: "A colored man was found dead in the streets of Bryan on Sunday morning, and that a white man was killed in a gambling saloon at that place on Saturday evening. Another colored man was also found dead on Monday morning. A Pleasant place that Bryan is to live in?"[107] The *Houston Union* reported in June 1869 that a "colored man" was found dead at the Brazos ferry.[108] The *Houston Daily Times* reported that "a [N]egro man was found hanging from a tree, about one mile east of Bryan" and that "the murdered [N]egro's wife says that a party of white men, with painted faced, came to his house on Monday night and took him away." The article concluded, "he is said to have been a peaceable freedman."[109]

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[106] Throughout the south during reconstruction, black leaders who attempted to organize the black community routinely disappeared, leaving the organizational efforts floundering as a result. This was a very effective means the white community often employed in an attempt to maintain their control over the black population.

[107] *Flake's Bulletin*, Galveston, January 16, 1868, 6.

[108] *Houston Union*, June 28, 1869, 2.

[109] Houston Daily Times, October 9, 1868, 6.

However, the newspapers also revealed that there was a significant degree of black on black violence as well. *The Galveston Daily News* tells of a "black man, Brigham Young, who shot and killed another black man, Wild Oats, on the plantation of James M. Wilson, ten miles west of Bryan." Originally appearing in the *Bryan Appeal*, the *Houston Times* reprinted, "Murder seems to be on the rampage among the freedmen of our county. Since Christmas, no less than 6 [N]egroes have been killed. The fusses all seem to be among themselves. If they keep up at this rate, by next election the whites will be largely in the majority in the county."[110]

Overall, the 53 reported acts of violence for Brazos County ranked third among the six counties of the Lower Brazos River Valley, but was only slightly less than the 54 reported for Washington County, and the 60 reported for Grimes County (see table 4). However, Brazos County's Index of Representation value of 151 was significantly higher than any of the other six counties of the Lower Brazos River Valley (see table 11). In Brazos County blacks composed only 41 percent of the population in 1870. This is critical to understanding the high incidence of violence in Brazos and other counties that possessed black populations around 50 percent or lower. With whites in the majority, or close to it, they were able maintain a greater degree of freedom in their actions toward the black population than their counterparts in counties that

[110] *Houston Times*, January 19, 1870, 1. (reprint from the *Bryan Appeal*). With blacks only constituting 41% of the population, it is very interesting to note the feelings among whites that blacks were in the majority.

had significantly larger black majorities. Furthermore, the black population increased substantially each decade after the 1850s, a fact that would have concerned the local white population; especially given that blacks were increasingly attempting to exercise their political rights. Undoubtedly, due to the Millican race riot and its aftermath, there was a significant difference in the reported incidence of violence between 1866 and 1868.[111] The peak years for violence were 1867 with 24 total offenses reported, second only to Grimes County, and 1868 with 22 total offenses reported (see table 4). These statistics, along with regional newspapers accounts, suggests that Brazos County was by far the most violent of any of the counties studied in the Lower Brazos Valley.

Grimes County, located 40 miles northwest of Houston, was an emerging agricultural region within the state, and was one of its fastest growing counties during the 1850s. The arrival of the railroad in Navasota in 1859, further accelerated the county's growth. By 1860 the county's 10,320 total population contained 5,468 slaves, which represented 53 percent of the total.[112] Fueled by the large influx of refugees from the Lower South during the war, the county's black population increased dramatically by 2,173. By 1870 there was a total of 7,921 freedpeople residing in the county constituting 60 percent of the total population (see table 10).

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[111] For an examination of the migration from the South of planters and their slaves into Texas see Dale Baum's "Slaves Taken to Texas for Safekeeping During the Civil War," 99.

[112] Gorman, *Still the Arena of Civil War*, 399; also see E. L. Blair, *Early history of Grimes County (*Austin, Tx.,1930): 28.

Like Brazos County, Grimes County overwhelmingly supported secession and the Confederate cause.[113] Following the Confederate defeat, there was a general feeling of resentment towards the Union, and this feeling was intensified by economic turmoil and outbreaks of cholera and yellow fever. However, in May 1865 an event occurred in Navasota that would play an important role in framing the nature of the federal response to the increase in lawlessness and violence in the Brazos River Valley. Dissatisfied ex-Confederate soldiers looted a warehouse in Navasota filled with cotton and munitions, and during the process the structure caught fire. The fire produced a violent explosion that destroyed several nearby buildings, and by the time the fire had run its course, much of the town's commercial district had been destroyed.[114]

Thomas Blackshear was a planter and civic leader in Thomasville, Georgia, who had served in the Georgia state legislature; first in the House of Representatives during the 1830s, and in the Senate during the next decade. By the mid-1850s he had sold his plantation and determined to make a fresh start in Texas. Blackshear settled along the Navasota River in Grimes County and soon built up holdings valued at $150,000 in 1860. Blackshear's four sons all served in the Confederate army, and after the war he found himself facing the crippling realities of Reconstruction Texas. In February 1867 Blackshear wrote a letter to Lucius C. Bryan, editor of the *Thomasville Southern Enterprise*,

[113] Ibid.
[114] Ibid.

describing the conditions in Navasota. In the letter Blackshear talks about his mistrust of any system employing the newly freed slaves, and that he had little patience with "[N]egroes" as laborers. He states: "A great many plantations of the richest lands in our State will go uncultivated for want of laborers. I have been too long accustomed to good order and discipline, to put up with the idle, lazy, and thriftless habits of the freed [N]egro." Blackshear's letter speaks volumes to the prevalent racial attitudes and stereotypes. This view of the freedmen played an important role in planters resorting to violence in an attempt to control and manipulate their labor supply, as well as to the general spirit of lawlessness that spread throughout the Central Texas region in the aftermath of the Civil War.[115]

The Navasota fire was indicative of this growing spirit of lawlessness that would soon engulf Grimes County, as well as the majority of the counties in the Lower Brazos River Valley. The Freedmen's Bureau's Twentieth Sub-district, which included most of Grimes and Brazos counties, reported that immediately following the Confederate surrender there was a general breakdown of law and order in Grimes and the surrounding counties. In 1867 alone, 12 freedmen were murdered in Grimes County, another 21 were assaulted, and in May of 1868 the Ku Klux Klan made its first appearance in the county. The freedmen reacted to this intimidation and violence by organizing militias for their own protection.

[115] Ibid. Also see William Warren Rogers, From Planter to Farmer: A Georgia Man in Reconstruction Texas, *Southwestern Historical Quarterly* 72 (April 1969): 526-529.

Additionally, with the assistance of prominent Republicans, black leaders formed Union Leagues, which were designed to unite white and black Republicans into a group that could effectively exercise political power. In a scene that was to be repeated throughout the Brazos River Valley, whites met this challenge to their supremacy in the same manner they always had: by coercion, intimidation, and violence.[116] Regarding incidents of reported violence, the 60 reported episodes for Grimes County ranked first among the six counties of the Lower Brazos River Valley, and fifth overall (see tables 4 and 9). Following a pattern that was consistent throughout the state, violence peaked in 1867 with 33 reported incidents, but dropped to 15 incidents for 1868 (see table 4). The 60 reported acts of violence were the fifth highest total in the state. However, due to the substantial population of blacks that resided inside Grimes County, the per-capita rate was below average at 65 percent, despite the overall violence the black population endured as they attempted to discover the meaning of freedom.

Named for George Washington, Washington County was a leading cotton producer on the Lower Brazos. By 1850 the county had emerged as one of the region's largest agricultural centers, ranking second only behind Brazoria County, with 2,817 total slaves (see table 10).[117] During the 1850s the county

[116] For a more in-depth examination of black leadership in Texas during Reconstruction see Merline Pitre, *Through Many Dangers, Toils, and Snares: The Black Leadership of Texas, 1868-1900* (Austin, Texas: Eakin Press, 1985).

[117] Gorman, *Still the Arena of Civil War*,400; W. O. Dietrich, The Blazing Story of Washington County (Brenham, Texas: Banner Press, 1950; rev. ed., Wichita Falls: Nortex, 1973): 35. Also see Donald G. Nieman, "Black Political Power and Criminal Justice: Washington County, Texas, 1868–1884," Journal of Southern History (August 1989); Mrs. R. E. Pennington, History of

enjoyed tremendous growth. Its population increased by 9,232, and its slave population increased twofold, to 7,268 total slaves. Like most of the counties examined in this study, Washington County overwhelmingly supported secession and the Confederacy. During the war southern refugees, both slave and white, continued to significantly add to the county's population. County tax records from 1864 indicate that the slave population had increased by 16 percent to 8,663 in just 4 years of war. This growth continued after the war and by 1870 the county's population increased to 23,104. The county's black population increased to 12,241, which represented 53 percent of the total (see table 10).

As news of emancipation reached the county, coupled with the arrival of federal troops and a Freedmen's Bureau agent in October 1865, the black population quickly asserted their independence. Many of the county's freedmen held out on entering into labor contracts for the upcoming year. They believed that the government would compensate them for their labor during slavery by dividing up the plantations among them on January 1, 1866. However, the army wanted a stable black labor supply and encouraged freedmen to make year-long

Brenham and Washington County (Houston: Standard Printing, 1915); Pamela A. Puryear and Nath Winfield, Jr., Sandbars and Sternwheelers: Steam Navigation on the Brazos (College Station: Texas A&M University Press, 1976); Worth Stickley Ray, Austin Colony Pioneers (Austin: Jenkins, 1949; 2d ed., Austin: Pemberton, 1970); and Charles F. Schmidt, History of Washington County (San Antonio: Naylor, 1949).

contracts. Penalties were instituted of up to $50.00 dollars for any freedmen who failed to complete the terms of a labor contract.[118]

Washington County blacks also asserted their rights by creating their own schools and churches. Prior to the Civil War, state law had prohibited teaching slaves how to read because it was feared that literacy might encourage slave insurrections. Autonomous black churches were banned by statutes that prohibited slaves, and free blacks, from congregating in anything other than a small group without white supervision.[119] However, black churches routinely held services without white supervision. According the Reverend Emerson Davis of the Mt. Rose Baptist Church in Brenham, their slave ancestors had established secret "brush arbor" churches to avoid the slave patrols that had the authority to break up these congregational meetings. Anyone caught in attendance was beaten by the members of these patrols.[120]

Between 1865 and July 1867 white conservatives took advantage of Presidential Reconstruction, and asserted control over local governments.[121]

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[118] Kenneth M. Hamilton, "White Wealth and Black Repression in Harrison County, Texas: 1868-1868," *The Journal of* [N]*egro History* 84 (Autumn 1999): 342. Hamilton continues that the federal government's policy of keeping blacks in the field to grow cotton was influenced by the financial pressure to repay the more than $1.5 billion in debts it had incurred during the war.

[119] Donald G. Neiman, *Promise to Keep: African Americans and the Constitutional Order, 1776 to the Present* (New York: Oxford University Press, 1991).

[120] Neiman, "African Americans and the Meaning of Freedom: Washington County, Texas as a Case Study," *Kent Law Review* 70 (December 1994): 541-582, 546. For a closer look at how the Civil War affected the African American slaves in Texas see Ronald E. Goodwin and Bruce A. Glasrud, "On the Edge of First Freedoms: Black Texans and the Civil War," *Seventh Star of the Confederacy: Texas During the Civil War*, Ken Howell ed., (University of North Texas Press, 2009): 268-286.

Justices of the Peace frequently apprenticed black orphans out to white planters. Thus, providing them with a cheap labor source. Local officials also organized a county police that confiscated freedmen's firearms. Justices of the Peace routinely assisted the planters in disciplining and controlling their laborers by prosecuted the freedmen for petty offenses such as vagrancy, disturbing the peace, disorderly conduct, and malicious mischief.[122]

Bi-racial voter registration begin in Washington County in June 1867 and enthusiasm for registration ran high in the black community. Planters threatened to fire any freedmen who registered to vote, and in Washington, in the northeastern part of the county, three white men attacked the registrars, shooting and wounding Louis Edwards and Ben Watrous. However, not to be deterred, black leaders in several communities held political meetings to explain the registration process and to mobilize their neighbors. Sometime between July and August blacks organized a Union League in Brenham. Under the stewardship of Benjamin Watrous, the League enjoyed sustained growth, and by early 1868 monthly meetings were being held.[123]

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[121] For further insight into the evolution of county government in Texas during Reconstruction, see Campbell, "Grass Roots Reconstruction: The Personnel of County Government in Texas, 1865-1876," *Journal of Southern History* 58 (February, 1992): 99-116.

[122] Neiman, "African Americans and the Meaning of Freedom," 548. Also see Sean Michael Kelly, "Plantation Frontiers: Race, Ethnicity, and Family Along the Brazos River Valley of Texas, 1821-1886," (Ph.D. diss., University of Texas, 2000).

[123] Ibid: 552. However, the freedmen of Washington County were committed to having a voice in how their communities were governed and continued to register to vote in substantial numbers. During 1868, Union Leagues spread to other parts of the county including Chappell Hill, which was situated in the heavily black populated eastern part of the county. Ibid:553

The political success enjoyed by the Union Leagues in Washington County was due, in part, to the county's substantial German population, and while many Germans in the county had strongly supported the Confederacy, many joined the Republican Party after the war as a result of the wartime repression of Germans in the area.[124] Overall, it appears that the county's white Republicans were attracted to the party because of their hostility to the Democratic elite. It also appears that many white Republicans were opposed to black suffrage, but they knew that only by mobilizing the black electorate could they win elections and control local and state governments. During the fall of 1867, when many conservatives were removed from office and replaced with loyal whites, white Republicans still proved reluctant to make concessions to freedmen on matters of public policy. For example, Frank Wood, who had been appointed county judge, refused to add the names of the county's eligible black residents to the jury lists between 1867 and 1869. However, despite these obstacles, black political activism continued to enjoy increased success. Benjamin Watrous, for example, was elected as one of the county's delegates to the state's 1868 constitution convention.[125]

The increased political activism of Washington County's blacks came with a price. Violence and threats of violence increased between 1867 and 1868 (see table 4). The Washington County seat of Brenham, which was at the heart

[124] Buenger, *Secession and the Union in Texas*, 133-134.

[125] Neiman, "African Americans and the Meaning of Freedom," 555. Also see Moneyhon, *Texas After the Civil War,* 236-237.

of black political activism in the county, especially had a reputation of possessing an "unreconstructed" population.[126] Brenham, located about halfway between Houston and Austin, emerged as an important commercial junction between Houston and the surrounding areas.[127] In the immediate postwar years the town experienced a significant increase in violence. The town averaged two violent crimes per month, and ranked ninth out of the 129 Texas counties in frequency of crime. Observers who passed through Brenham during this period made specific references to the violent nature of the town.[128] Bvt. Maj. General Christopher C. Andrews, who had visited Beaumont, Liberty, Brenham, and Columbus at the end of 1865, made a specific point to mention the fact that the large majority of white people were still disloyal and entertained hope of reestablishing slavery. Andrews also pointed out that there was a disdain for northerners and a specific aversion to federal authority.[129]

Federal troops arrived in Brenham at the end of 1865 and the Freedmen's Bureau established an office there shortly afterwards. What ensued was an

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[126] Gorman, *Still the Arena of Civil War*, 401; Also see Richter, *Overreached on all Sides*, 126, 131.

[127] Ibid: 294. A rail line was being constructed to link Houston and Austin, but the endeavor collapsed with on onset of the civil war and the rail line had only made it as far as Brenham.

[128] Ibid: 294-295. Among the people commenting on the violent nature of the town was one Mrs. George Armstrong Custer, who noted when she and her husband passed through the town, that the streets were filled with people looking for a fight.

[129] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Brevet Major General Christopher C. Andrews, March 14, 1866, 124. By contrast Andrews notes that Union sentiment in Austin was good and was very good at New Braunsfels, which is not surprising considering its large German population.

escalation of tensions that reached their breaking point on September 7, 1866. In what became known as the Brenham fire, the incident left two federal soldiers dead and more than a block of the town in flames.[130] Additionally, the episode would set in motion a chain of events that culminated in the removal of Throckmorton as governor on July 30, 1867, a greater federal footprint in the area, and the Freedmen's Bureau receiving extra resources, as it endeavored to protect the rights of the freedpeople of the county.[131] The Klan made an appearance in the county almost immediately upon the escalation of federal control within the county. The first black murder attributed to the Klan occurred within a year in 1868.[132]

Washington County ranked second in total incidents of violence between the years 1866 and 1868. The black and white populations of the county remained relatively equal between 1850 and 1870, with blacks constituting a slight majority of 53 percent of the total population in 1870 (see tables 10 and 11). It is important to note that the three counties with the greatest incidences of violence were also the counties in which whites were either close to or in the majority of the county's total population. An examination of the yearly trends indicates that 1866 and 1868 were the peak years for violence within the county.

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[130] Senate Journal of the Eleventh Legislature, "Report of the Joint Select Committee to Investigate Facts in Regard to the Burning of Brenham" (Austin, Texas: Office of the State Gazette, I866), 1-54. Testimony of Susan Walker, September, 28, 1866, 7. Estimates for the losses incurred by the fire were set at $131,026.

[131] Richter, *Overreached on all Sides,* 313.

[132] Ibid: 314.

For these two years the county ranked first in total acts of violence. Overall, Washington County was just 6 acts of violence short of Grimes County's high-water mark of 60. The high rate of violence in 1866 can be attributed to the arrival of federal troops, the rise of the Union League, and the awakening of black political consciousness. The low rate of violence for 1867 might be due to the fact whites had successfully eliminated key black leaders who had inspired the black community to become more assertive in claiming their newly won rights.[133] Another factor that might account for the decrease in the acts of violence for 1867 was an increased military presence following the Brenham fire. However, by 1868 violence once again increased. The Klan was gaining strength in the county, Governor Throckmorton had been removed from office, and there was increasing resistance to the efforts of the Bureau. Also, the February election and subsequent Constitutional Convention during the summer of 1868 witnessed Republicans encouraging the black population to become more politically assertive. Whites became increasingly alarmed at the increased political assertiveness of the freedmen. What followed in 1868 was the highest number of violent acts found for any of the six counties of the Lower Brazos River Valley for that year. Also, the 27 reported incidents of violence for 1868

[133] Alwyn Barr and Robert A. Calvert ed., *Black Leaders: Texans for their Times* (Texas State Historical Association, 1985). Mathew Gaines, a leader of the African American community in Washington County, managed to endure the threats of violence and was elected to the Twelfth Texas Legislature as a Senator.

was the second highest number reported for any of the three years that followed the end of the war (see table 4).[134]

Austin County, named after Stephen F. Austin, is located 35 miles west of Houston. Most of the county's early immigrants migrated from the South and brought their slaves with them. By the time of the Texas Revolution the county already had a population over 1,000 with 350 being slaves. During the 1850s the population of the county exploded by 270 percent to 10,398. The county's slave population experience a similar growth rate of 237 percent. The 3,668 slaves comprised 35 percent of the total population. The county grew an additional 68 percent during the next decade. The census of 1870 reports a total population of 15,087, of which 44 percent were black (see table 10).

The majority of the people in the county came from the Upper South states of Tennessee, Virginia, and North Carolina. By 1850 there were more than 30 planters in the county, and by 1860 that number had grown to 46 with a total of 346 slaveholders. However, the South was not the only contributors to the population growth. Austin County was the site of the first German settlement in Texas in the early 1830s, and Germans continued to immigrate into the county in substantial numbers. By 1850 there were 750 German-born residents in the county making up close to one third of the total white population. By 1860 German residents owned more total farms than native-born whites. The Census

[134] Gorman, *Still the Arena of Civil War*, 402; Crouch, "Self-Determination and Local Black Leaders in Texas," 350-353.

of 1870 reports a total of 2,111 German-born residents living in Austin County, which was only 17 behind Fayette's 2,128, which represented the largest concentration of German-born immigrants in the state. The census of 1870 further illustrates that there were 5,481 people living in Austin County with at least one foreign-born parent.[135] With a total white population of 8,513, it would be safe to assume that Germans constituted a significant percentage of Austin County's total white population.[136]

While German immigrants generally were opposed to secession, the county did make significant contributes to the Confederacy, but many within the county, especially Germans, openly refused to serve.[137] By late 1862 events in the county were moving towards a climax. Approximately 150 Germans within the county refused to present themselves for conscription, and shortly thereafter, formed something resembling the Union Loyalty League that had appeared around Fredericksburg and New Braunfels in late 1861 and early 1862. German

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[135] *U.S. Census Bureau. Population Density, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018).*

[136] For a detailed examination of the Germans in Austin County see Terry G. Jordan, *German Seed in Texas Soil: Immigrant Farmers in Nineteenth-Century Texas* (Austin: University of Texas Press, 1966).

[137] John Gorman, "Frontier Defense: Enlistment Patterns for the Texas Frontier Regiments in the Civil War," *Seventh Star of the Confederacy,* 76. German immigrants around Fredericksburg and New Braunfels formed a Union Loyalty League (ULL) in late 1860 or early 1861 and took an oath "never to betray the United States of America." Texas considered the ULL a threat to its sovereignty and over the next year two leaders of the ULL were executed, another German settler was beaten to death, and there were several armed confrontations between German militia and Texas State Troops. It was Texas' harsh treatment of the ULL and German settlers in the area that convinced many other Germans to support the Union and the Republican Party during the early years of Reconstruction.

citizens even began forming militia and cavalry units to oppose the Confederates. On January 8, 1863 martial law was declared, and over the next two weeks the state sent in several army units to suppress the rebellion. The incident created significant animosity within the local German community toward native-born whites that extended into the post-war years.[138]

During Reconstruction the freedmen living in Austin County experienced their share of violence. Between 1861 and 1865 the county's black population increased by 47 percent to 4,702 and by 1870 it had reached 6,574, which was approximately 44 percent of the county's total population. Union troops arrived in the county in the fall of 1865 and the Freedmen's Bureau set up operations out of Hempstead. With the black population hovering around 44 percent in the later part of the decade, Austin was one of only two counties in the Lower Brazos River Valley, the other being Brazos County, that maintained a white majority in its population (see table 10). While Austin County ranked fifth out of the six counties studied in total incidents of violence, the Bureau still reported four murders for the year 1866, ten in 1867, and no records were found for 1868. However, while the county still showed an increase in violence between 1866 and 1867, these results were atypical, based on the percentage of blacks within the population. The county should have ranked closer to the top in total violence. The most likely explanation for this is that the high concentration of

[138] Ibid.

Germans in the county, given their pro-Union attitudes, would have supported a federal presence in the county that helped limit the number of violent incidences against the black community. With an active Freedmen's Bureau and the presence of federal troops, Republicans were successful in electing several blacks to office, which understandably antagonized conservative elements within the county.[139] However, others in the county were not so inclined to accept a federal presence. The approximately 400 slaveholders in Austin County, as well as those who had supported the Confederacy, resented federal occupation and the loss of their slave labor, and they did everything in their power to recreate a semblance of the antebellum labor system. As a result, 1867 was the harshest year for freedpeople living in Austin County with 14 reported acts of violence (see table 4).

Situated just 28 miles southwest of Houston, Fort Bend County quickly developed into a vital trade center for the region. Barges and steamboats navigated the Brazos carrying cotton and other products grown in the region to market. Fort Bend developed a plantation system very early. By 1850 the county had 1,172 slaves residing in the county. This placed Fort Bend among only six Texas counties where slaves constituted the majority of the population in 1850.[140] During Reconstruction, with freedpeople outnumbering whites by

[139] Julia Lange Dinkins, "*The Early History of Austin County,"* (M.A. Thesis, Southwest Texas State University, 1940): 68.

[140] *U.S. Census Bureau. Population Density, 1850, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018.*

more than two to one, Republicans had a distinct political advantage. As one would expect with such an overwhelming majority of blacks in the county, the rate for incidences of violence was significantly lower than in those counties where the population differences were less favorable to freedmen. Of the six counties in the Lower Brazos, Fort Bend, at 78 percent, ranked first in the percentage of blacks within the population, but only fourth in the number of reported acts of violence (see table 4). However, with the Freedmen's Bureau reporting a total of 33 violent acts, including 14 murders, the black population of Fort Bend still paid a heavy price for their freedom (see table 4). To highlight this point, in 1866 a white man was riding through town, and on seeing a freedman standing in front of the Freedmen's Bureau office, drew his revolver and shot him dead. The criminal had never seen or spoken to the freedman before.[141] Violence in the county dropped from 11 incidences in 1866 to 8 in 1867, before escalating to 14 reported acts in 1868. While the population difference between whites and blacks obviously worked to suppress the reported incidences of violence, 1868 was the high of the three-year period. This increase in violence for 1868 would seem to correspond to the political environment within the state during the spring and summer of 1868.[142]

[141] *Report of the Special Committee on Lawlessness and Violence*, 3.

[142] During 1868, violence spiked in March following the February election to decide whether a Constitutional Convention would be convened. Violence again spiked during the summer of 1868 while the Constitutional Convention was in session.

Situated at the mouth of the Brazos River, Brazoria County developed a more complete plantation system based on slavery, and its society more closely resembled that of the Lower South, than did other counties in Texas. By 1850 Brazoria possessed the largest slave population in the state. Slaves accounted for 72 percent of the county's total population.[143] During the 1850s the county continued to enjoy success and by the end of the decade had emerged as the wealthiest county in Texas.[144] By 1860 the county's population had increased 70 percent and its slave population increased to 5,110, or 75 percent of the county's total population (see table 10).

Reconstruction brought new hardships to the newly freed slaves of Brazoria, but perhaps due to a strong federal troop presence, and the fact that blacks constituted a 2 to 1 majority of the county's population, the incidences of reported violence was relatively low for the period 1866 through 1868. The Bureau reported only 8 murders and 11 assaults. The county's 19 total number of incidents reported was the lowest of all the counties in the Lower Brazos. Also, the 19 total acts of violence were the third lowest total out of the 54 counties included in this study (see tables 4 and 12). However, it is also important to note that the county was trending upward each year, peaking in 1868 with 9 reported violent acts directed at its black population. Organizations

[143] *U.S. Census Bureau. Population Density, 1850, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018).*

[144] For a more detailed analysis of Brazoria County's plantation system see Abner J. Strobel, *The Old Plantations and Their Owners of Brazoria County* (Houston, 1926; rev. ed., Houston: Bowman and Ross, 1930; rpt., Austin: Shelby, 1980).

like the Klan began to appear in the county by 1868 and, ultimately, as was the case throughout the south after the federal troop presence was withdrawn and the Freedmen's Bureau was shut down, they were successful in disenfranchising the blacks of the county.[145]

Throughout the Lower Brazos River Valley violence against the black population was consistent and widespread. As expected, violence tended to be at its most severe in those areas where the black population was equal to or less than the white population. The one significant deviation was Austin County where whites were in the majority, but violence in the county was suppressed. This likely can be attributed to the high density of recently arrived German immigrants to the county.[146] In Brazoria and Fort Bend Counties the high concentration of blacks did have a downward influence on reported incidents of violence. Overall, violence in the Lower Brazos River Valley during the three

[145] Reports of P. F. Duggan June–Oct. 1867 and A.F.N. Rolfe Oct.–Dec. 1867, ROC, AC, T.

[146] First generation German immigrants tended to be against secession and opposed slavery, while second and third generation Germans supported secession and appear to have adopted many social norms and values of Southern society. For a more detailed analysis of German immigrant views on secession see Walter L. Buenger, *Secession and the Union in Texas* which includes a statewide map of 50%+ and 40%+ Unionist counties; Also, relevant here is Buenger's article "Secession and the Texas German Community: Editor Lindheimer vs. Editor Flake," *The Southwestern Historical Quarterly* 82 (1979): 379-402. Ralph A. Wooster points out that only five of twenty German-dominated counties voted against secession. Wooster, *The Secession Conventions of the South* (Princeton: Princeton University Press, 1962): 133. But see Kamphoefner, "New Perspectives on Texas Germans and the Confederacy," *Southwestern Historical Quarterly* 102 (1999): 441-455, showing precinct returns for Austin and Colorado counties where Germans stood apart from the Anglo secessionist majority. Also, see Jordan, *German Seed in Texas Soil: Immigrant Farmers in Nineteenth Century Texas,* 182-185; Earl NV. Fornell, *The Galveston Era: The Texas Crescent on the Eve of Secession* (Austin, 1961): 125-139; Rudolph Leopold Biesele, *The History of the German Settlements in Texas, 1831-1861* (Austin, 1930): 206-207; Ella Lonn, *Foreigners in the Confederacy* (Chapel Hill, 1940): 46-52.

years between 1866 and 1868 does generally follow the trends established by this study. Violence for 1866 was significantly lower than 1867 and 1868, when political events significantly influenced the patterns of violence for the state, and this will be examined in detail in Chapter 5 of this study (see tables 14-15).

CHAPTER THREE

RECONSTRUCTION VIOLENCE IN THE UPPER BRAZOS RIVER VALLEY

"In Waco, right under the eyes of the civil authorities, with the presence of troops, they do endeavor to do their duties in a manner of fashion, but in other parts of the county it is utterly impossible for a colored person to obtain justice and it is worse in the outlying counties." This was taken from the November 1867 report of the Bureau's subassistant commissioner for McLennan and the surrounding counties that constitute the Upper Brazos River Valley.[147]

This highlights the dire problems the freedmen faced on a daily basis. For example, on the night of September 26, 1868, no less than 20 black women were severely beaten, and 3 were sexually assaulted by a mob of white men who went on a brutal rampage of racial violence that night. This epitomizes the brutal nature of racial violence in Central Texas during Reconstruction.[148]

The white majority in Central Texas opposed any assertiveness by the black population, whether it was social, economic or political in nature. Former slave Sam Forge recalled that whites would take blacks "out and whip dem or hangs dem to a tree when dey kin be in sight of de other niggers… de has lots of trouble for three or four years after freedom." In McLennan County, Hal Evans beat a freedman for slandering him, and a freedwoman named Fanny was shot

[147] Reports of James Jay Emerson, November 1867, ROC, AC, T.

[148] Carrigan, *The Making of a Lynching Culture*, 111-112.

for sassing her mistress.[149] There were those in the Upper Brazos River Valley that would use any excuse to inflict violence upon the freedmen. Also, in McLennan County a gang called the "Fishbackers" was notoriously brutal in committing acts of violence and murder for any perceived offense that a freedman had supposedly done to a white person. The Klan was also active in the region. There were numerous reports from freedmen that the Klan was targeting the freedmen of McLennan County. A freedman named Joe Oliver, who was interviewed as part of the WPA Slave Narrative Project, recalled that "de Ku Klux Klan, dat got to whippin' de niggers so bad after freedom dat my daddy moved us nearer to Hillsboro."[150]

Over last few months of 1865 Provisional Governor Andrew J. Hamilton received numerous reports that slavery was still widely practiced throughout the region. Planters were blacklisting other whites who employed their former slaves. The freedmen were told that they had to work for their former masters and no one else, and those that sought employment elsewhere were hunted down with hounds. Throughout Central Texas whites were still committing outages, such as stealing, robbing, and murdering the freedmen with an alarming frequency.[151] To determine the extent of violence in the Central and

[149] Ibid: 121.

[150] Ibid: 124.

[151] Richter, *Overreached on all Sides*, 15. Lieutenant Thomas M. Browne, who conducted the sweep through north Central and North Texas for Bvt. Brig. Gen. Edgar M. Gregory, was stunned by what he discovered. He noted murders and other atrocities were commonplace, and

North Central Texas regions, Bvt. Brig. Gen. Edgar M. Gregory, the Bureau's first assistant commissioner of Texas, sent out military sweeps of the Central and the North Central part of the state. The sweeps revealed a complete state of lawlessness, and that random military patrols would not be sufficient to provide protection for the freedpeople in the region. Gen. William E. Strong wrote Gregory upon the completion of his tour that if the freedpeople were to have a semblance of justice provided for them, a minimum of 50 subassistant commissioners were required.[152] Upon his arrival in Waco in January 1866, First Lieutenant Eugene Smith, of the 10th USCI, reported of the whites in Waco, "there is very little I can say in their favor and in the surrounding country side there appears to be "some Quantrill sort of persons, and it is unsafe for a Yankee to move about without troops."[153]

Another serious problem that affected the Bureau's ability to protect and to provide justice to the freedmen was the revolving door at the subassistant commissioner level. Many of the field agents serving as subassistant commissioners also served as federal officers and were continually being mustered out of the service. The result was that in many instances subassistant

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every time soldiers showed up, the assaults would immediately stop, only to start up again with increased intensity upon their departure.

[152] See the report of J. Ernest Goodman, April 1866, ROC, AC, T. Goodman described the brutal and horrific treatment of the freedpeople in his district, promising not to allow this type of brutality to continue. He was mustered out the service a month later, and the freedpeople in his district continued to suffer under the grip of violence. Also see Smallwood, "Black Texans during Reconstruction," 9-23.

[153] Richter, *Overreached on all Sides*, 20-21.

commissioners barely had time to become acquainted with the office before they were mustered out of the service, and this severely restricted the Bureau's effectiveness in protecting and assisting the freedmen.[154]

On May 15, 1866 Gen. Joseph B. Kiddo issued Circular Order no. 14. It was an attempt to establish some strict guidelines on employer and employee relations, and it set fines if one of the regulations was broken. Unfortunately, the circular order had a negative effect on violence, as planters and even some Bureau agents took it as a sign to get tough with the freedmen. There was a significant upswing in the number of incidences of violence against blacks throughout the summer of 1866 (See tables 4 and 14).[155] This was especially true in the area just north of Brazos County. For example, in Sterling, situated on the east bank of the Little Brazos River two miles west of Calvert in eastern Robertson County, several blacks who had left their place of employment because they believed their employers had not lived up to their contracts were tracked down and returned to their plantation. Upon their return they were hung by the thumbs as punishment. The incident came to Kiddo's attention when Champ Carter, the subassistant commissioner for the district, who was present at the event described above, asked Kiddo if he would approve of such a punishment in the future. Kiddo responded that it was not, and launched an immediate investigation into the practice. What he discovered was appalling.

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[154]. Ibid: 21.

[155] Richter, *Overreached on All Sides*, 81.

The practice involved suspending an offender by the thumbs just off the ground, only allowing the toes to touch the ground. Eventually, the offender would become exhausted and hang by their thumbs alone. The pain was excruciating, often resulting in the loss of ones thumbs if the procedure was overdone, and this was in wide practice throughout the region.[156]

Second Lt. Samuel Morton arrived in Sterling in late September 1866 and discovered appalling conditions. Troops would routinely disarm freedmen at the request of the planters. Black laborers were often paid their year-end wages at plantation stores, where prices for goods had been marked up close to 100 percent. Other planters took their field hands to a friendly county court where they were sued for property damages that amounted to their wages for the year. Morton's inability to affect this situation in Robertson County led him to resign from the Bureau after just over 3 months in office.[157]

Robertson County lies just north of Brazos County and east of Milam County. Between 1850 and 1860 the county experienced rapid growth in total population from 934 to 4,997. During the same period the slave population increased from 264 to 2,258 and 40 percent of the families in the county owned one or more slave.[158] Two of the state's largest slave owners, Reuben

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[156] Ibid: 102-103. Champ Carter would be replaced by Kiddo shortly after the reported incident occurred. His replacement arrived in Sterling in late September 1866. The direct reference of Carter's request can be found in the Reports of Carter, June 1866, ROC, AC, T.

[157] Report of Lemuel K. Morton, September 1866, ROC, AC, T.

[158] *U.S. Census Bureau. Population Density, 1850, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018.*

Anderson and B.F. Hammond, each owning over 100 slaves, resided in the county. During the Civil War planters, primarily from Arkansas and Louisiana, moved to Robertson County in hopes of escaping the devastation of the Civil War. As a result, by 1865 the number of slaves in the county had risen to 4,392, and by 1870 freedmen constituted 45 percent of the total population (see table 10).[159]

Oscar F. Hunsaker, a Galveston attorney, visited Robertson County in June of 1867 and detailed the abject state of affairs within the county. In a letter he wrote to Griffin, he described the local black population as being persecuted by the whites, whom he described as "arrogant, and ignorant, and Rebel to the core." Hunsaker went on the say that "the condition of the freedmen is as abject now as when they were slaves." He concluded his letter stating that there was probably not one loyal white person in the entire county.[160]

Robertson County ranked second in total recorded incidents of violence for the Upper Brazos River Valley with a total of 44 acts of violence between the years 1866 and 1868. The incidents of violence were remarkably consistent throughout the period. There were 13 reported incidences in 1866. Violence peaked in 1867 with 16 reported acts of violence and fell off slightly in 1868 with

[159] For a more detailed analysis of planters from the South migrating to Texas during the war and their settlement patterns in Texas see Dale Baum's *Slaves Taken to Texas for Safekeeping During the Civil War*.

[160] Richter, *Overreached on all Sides*, 185. Hunsaker, on another trip to Brazos County early in 1867 discovered that a man by the name of George Linder was acting as an illegal Bureau representative and expropriating cotton profits from the freedmen of the county and accepting bribes from planters to alter already approved contracts.

15 violent acts (see table 4). The 16 reported acts of violence for 1867 ranked second in the Upper Brazos River Valley, only behind McLennan County's 29 reported incidents. Overall, violence in the county follows the established pattern between 1866 and 1868. Violence peaked in 1867 before dropping off slightly in 1868.

Waco in McLennan County, like Sterling in Robertson County, was a hotbed of racial violence and defiant of Bureau authority. Waco had the worst crime rate in the state, and Capt. James Jay Emerson discovered that he could only entice the civil authorities to administer a degree of justice when federal troops were present. Two companies of the Tenth USCI were stationed in Waco for most of 1867, and even with their presence, McLennan County ranked first in 1867 in total acts of violence, and second only to Grimes County in the Lower Brazos River Valley for total violent acts for the year. Emerson's reports repeatedly state his belief that if the federal troops were removed, he feared for the life and security of the freedpeople.[161]

McLennan County is situated on the Brazos River just northeast of Falls County. Most of the settlers that arrived prior to 1860 were Americans of English, Scotch, or Irish descent. The Brazos River runs through central to central eastern part of the county with the land closest to the Brazos serving host to large cotton plantations.[162] The County overwhelmingly supported

[161] Reports of James Jay Emerson, May through November, 1867 ROC, AC, T.

[162] John Ramsey Gordon, "The [N]egro in McLennan County, Texas," (M.A. Thesis, Baylor University, 1932). Also see Manford Eugene Jones, "A History of Cotton Culture along the

secession 586 to 291. However, the results also indicate a strong core of Unionist sentiment, with almost one-quarter of those that voted in the February 1861 election opposing secession. This is in stark contrast to many of the neighboring counties where Unionist support was much smaller including Limestone (525 to 9) and Hill (376 to 63).[163]

The Confederate surrender in June 1865 did not immediately affect many areas in the interior of the state. It would be months before some form of a federal presence was established in the interior. Local whites went about the transition from wartime to peacetime by electing Democrats to county and state offices, and it was business as usual. A freedmen named Aaron Ray recalled that "At first, they went wild. They shouted, danced, sang, and was more than happy. Some left, never to return, but most of the oldest ones just calmed down about the next morning and then they began to ask 'where us going to stay, and how us going to eat?'" The cold hard reality was that a large majority of the freedmen had no choice other than to return to work for wages on the plantations of their former masters or other planters.[164]

Middle Brazos River," (M.A. Thesis, University of New Mexico, 1940); and Dayton Kelley, ed., *The Handbook of Waco and McLennan County, Texas* (Waco: Texian, 1972).

[163] Campbell, *Grassroots Reconstruction in Texas*, 165.

[164] Ibid: 168. A good source on the reactions of African Americans to freedom and the transition to wage labor is *American Slave Supplement*, Rawick, ed., Series 2, VIII. The narratives of Steve Brown (III, 491) and Harrison Cole (III, 773) indicate that slaves continued to work for their former masters or planters that lived nearby and, as Ronald Goodwin found evidence of in the Slave Narratives, many had a difficult time leaving the plantations where they had been slaves because they still felt an emotional attachment to their former owners and places of residence. For many, their entire life has been spent living and working on the same plantation.

Between 1860 and 1870 the county's total population increased from 6,306 to 13,500. In 1860 there were 2,395 slaves residing in the county, and by 1870 the number of blacks living in the county increased to 4,627, constituting 34 percent of the total population (see table 10). Incidents of violence within the county was the highest of any county within the state, with a total number of 95 reported acts of violence for the years 1866 through 1868. Unlike almost all the other counties of this study, McLennan County consistently witnessed a high rate of violence. According to subassistant commissioner Emerson, the county experienced a large rebel presence in the area, and lawlessness and acts of violence against the freedpeople were almost daily occurrences. Joseph B. Kiddo, assistant commissioner of the Freedmen's Bureau in Texas from April 1866 to January 1867, sent F.B. Sturgis to Waco in December 1866 and what he discovered was alarming. Planters refused to allow strangers on their property and they held their freedmen in pseudo slavery. Very few blacks had been paid wages for their labor, and if they attempted to collect, they were threatened with violence.[165] Unionist leaders in McLennan County also held a similarly bleak view of conditions in the County. Nathan Patten, a New York born loyalist, complained that Unionists stood no chance of receiving justice. He wrote: "What chance do they [Unionist] stand, with rebel judges, rebel lawyers,

[165] Reports of F.B. Sturgis, December 1866 – February 1867. ROC, AC, T. This behavior was commonplace throughout Central Texas and is a recurring theme in the subassistant commissioner reports.

sheriff, & jury? No show at all." Patten's sentiments were reflective of the severe issues Unionists had throughout the interior of the State.[166]

Bi-racial voter registration began in McLennan County on July 10, 1867 and continued through August 30, reopened for a week in September, and for the last week in January, 1868. In what was to be a recurring theme throughout Central Texas, blacks constituted 53 percent of the registered voters, and along with approximately 200 white Unionists, assured a Republican victory in the February, 1868 election of delegates to the constitutional convention. It is not known the exact number of white disenfranchisement, but a significant number either refused to register, or were turned away by the county registrar when they did attempt to register to vote.[167]

Under authorization from the Third Reconstruction Act, Gen. Joseph J. Reynolds, responding to repeated cries from Unionists in the County, issued orders on November 1, 1867 that removed and replaced 6 key local officials with loyalist. The result was that by the end of 1867, and continuing through 1868, Unionists had firm control of the county. However, control of the local government failed to protect the Unionists and their black allies. Freedmen in McLennan County, along with those living in Harris County, endured

[166] Campbell, *Grassroots Reconstruction in Texas*, 171.

[167] Ibid: 143.

unparalleled levels of violence in the state, and both county officials and the Bureau were ineffective and virtually powerless to combat it (see table 12).[168]

As witnessed in Brazos County, when blacks were around 50 percent or less of the population, there was a higher frequency in acts of violence perpetrated against the freedpeople. With blacks constituting only 53 percent of the total population in 1867, and local juries unwilling to convict whites for crimes committed against the freedmen, the whites of McLennan County had little to fear and used violence to suppress and control the black population. Economic issues obviously motivated many violent acts between 1866 and 1868, but there was a spike in violence in 1868. This would correspond with the black community's increased political activism during the first half of the year. The result, was that the freedpeople lived in a continual state of fear that kept them bound to the land and violently attacked when they attempted to exercise their new civil rights.

Burleson County lies west of Brazos County and southeast of Milam County. During the 1850s the county witnessed heavy immigration. The population grew from 1,713 to 5,683 in 1860. The slave population grew as well, from 500 (29 percent) in 1850 to 2,003 (35 percent) in 1860. Also, during the 1850s large cotton plantations were established along the Brazos in the eastern

[168] Richter, *Overreached on All Sides*, 272-273. D. F. Stiles, the subassistant commissioner stationed in Waco between December 1867 to March 1868 noted in his February report the deteriorating conditions in Waco saying: "Most Whites are hostile and continually threatening to kill blacks. Civil Officers do what they can, but they cannot get a local jury to convict those guilty of crimes against freedmen and Unionists." Report of D.F. Stiles, February, 1868. ROC, AC, T.

part of the county. When the secession crisis erupted in 1860 and 1861 a chapter of the secret order Knights of the Golden Circle worked on persuading residents to endorse secession.[169] During the war the county experienced a large influx of refugees from the South. By 1870 the black population had reached 3,021 comprising 37 percent of the total population (see table 10).

During Reconstruction a company of State Police was stationed in Burleson County, and while their presence did ensure the freedmen had access to polling places and the court system, they were unable to extend protection across the entire county.[170] The Ku Klux Klan appeared in the county by 1868. The Klan was directly responsible for several violent crimes in the area. The activities of the Klan did have an effect on local politics. In July 1868 the county registrar, a freedman named Wilson, was dragged from his home at night, lynched, and then his body was brutally mutilated before being tossed into the Brazos River.[171] It also appears that many acts of violence within the county went unreported. W.H. Farner, the subassistant commissioner stationed in Burleson County, noted in his October 1868 report that there were "numerous outrages reported to have been committed upon freedpeople in this and

[169] For a closer look at the KGC and its influence on the secession crisis see Linda S. Hudson, "The Knights of the Golden Circle in Texas," *Seventh Star of the Confederacy*, 52-67; and Roy Sylvan Dunn, "The KGC in Texas," *Southwestern Historical Quarterly* 70 (April 1967), 543-573.

[170] Burleson County Historical Society, *Astride the Old San Antonio Road: A History of Burleson County, Texas* (Dallas: Taylor, 1980), 29.

[171] Reports of W.H. Farner, March through December 1867, August, and October, 1868. ROC, AC, T.

surrounding counties." He continues that these include "whippings, stabbing, and robbery of the freedpeople, but they come to me in the shape of rumor, and I have no hard data to make a specific report."[172] Farner's observance provides a plausible explanation as to why reported acts of violence decreased between 1867 and 1868 as freedmen, with increasing frequency, refused to report abuse to the Bureau agent due to a fear of violent reprisals.[173]

Burleson County with 32 known acts of violence ranked third in incidents of violence reported to the Bureau for the Upper Brazos River Valley. However, this number could be on the low side based upon the reports and letters from Emerson and Farner describing that state of affairs in the county. One important trend discerned from the data, visible throughout the counties of this study, is that there was a significant increase in the incidents of violence reported for the years 1867 and 1868. In the recorded acts of violence for Burleson County the frequency of violence doubled from 7 in 1866 to 14 in 1867, and only dropped slightly to 11 incidents in 1868. A possible explanation for this is Kiddo's Circular Order 14, coupled with the continued influence of the Conservative Unionist Party within the county, and the first constitutional convention that was held in July 1867.[174] Violence remained elevated in 1868 as political events

[172] Ibid: October, 1868.

[173] Farner's observation in his October 1868 report also suggests that many acts of violence throughout the state went unreported to the Bureau out of fear of violent reprisals from the white population.

heightened whites' fears about an active black electorate challenging their supremacy at the county and state level.

Milam County lies on the western side of the Brazos River, and to the northeast of Robertson County. Although established in 1835, early immigration into the county was limited due to roaming bands of Kickapoo, Lipan, Kiowa, and others that frequently forced settlers to flee the area. The establishment of a fort at Bryant's Station in 1840 offered some protection to the settlers, but it was not until 1846, when the frontier had been pushed further west, that migration into the county began to accelerate. Over the next two decades the county grew rapidly. By 1870 its total population reached 8,984 and its black population reached a total of 2,977.[175] During the secession crisis of 1861 residents voted 468 to 135 in favor of secession and an estimated 700 men from Milam County enlisted in the Confederate army.[176]

There were only 22 recorded incidents of violence for Milam County for the years 1866 through 1868. With the black population at only 33 percent, one would expect the reported acts of violence to be slightly higher. This does deviate from the expected norm. The county does not possess any of the

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[174] For a more detailed analysis of the role politics and the Constitution Convention of 1867 had on the incidences of violence see Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas, 1867-1868," *Southwestern Historical Quarterly* 93 (January 1990): 333-355.

[175] *U.S. Census Bureau. Population Density, 1850, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018.*

[176] Katherine Bradford Henderson, "The Early History of Milam County*,"* (*M.A.* thesis, University of Texas, 1924); also see Margaret Eleanor Lengert, "The History of Milam County," (M.A. thesis, University of Texas, 1949).

indicators that would act to suppress violent actions against the freedmen population. The Bureau reports only mentioned a few incidents of violence in any detail, so it is possible that acts of violence against the freedmen either went unreported or were listed without a reference to the county. However, the 22 known acts of violence that occurred in Milam County still indicate that the freedmen in the county lived in an atmosphere of violence and endured hardships as they struggled to make the transition from slavery to freedom. On the eve of the February 10, 1868 special election to decide if a constitution convention was to be convened, the County Registrar, a freedmen, was called to his door at night and shot, and a similar incident occurred in Burleson County in early July 1868 while the state's Constitutional Convention was in session.[177] The cold blooded murder of the county registrar does suggest that political events did influence violent behavior against the black communities. Whites used violence against the freedmen throughout Texas. However, these incidents illustrate that when blacks exercised their political rights, they were putting themselves in harm's way.

Laying directly to the north of Milam County is Falls County. Settlers moving into the area came primarily from Mississippi, Tennessee, and Alabama. By 1860 the county had a total population of 3,614 and a slave population of 1,716 (47 percent).[178] Residents of Falls County approved secession with only

[177] *Report of the Special Committee on Lawlessness and Violence in Texas* (Austin, 1868): 4.

[178] *U.S. Census Bureau. Population Density, 1850, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018.*

two dissenting votes. Close to 600 of the County's men served in regiments of the Confederate Army. During the Civil War southern refugees flocked to Falls County. Its population soared to 9,851 and its black population tripled to 4,681, which represented 48 percent of the county's total population (see table 10).

By the end of 1866 Falls County was in a state of disarray. A.P. Delano, the subassistant commissioner stationed in Marlin, was essentially acting as an overseer for the planters. Kiddo sent Sinclair to Marlin to investigate the situation, and he discovered that under Delano's stewardship of the Bureau office in Marlin freedmen were routinely whipped, hung by their thumbs, and docked wages, all with the tacit approval of Delano. Sinclair recommended to Kiddo that Delano be immediately removed from his position, concluding that the freedmen there would continue to suffer until this "dead wood" was removed. To remedy the situation in Marlin, Kiddo moved F.B. Sturgis from Waco to Marlin to replace Delano and begin the process of cleaning up the subdistrict.[179]

The reports of Sturgis suggests that Falls and the surrounding counties were especially violent ones. He notes in his July 1867 report that "This sub district is an exceedingly rough one and is nearly as bad as Robertson County."[180] Sturgis was correct in his assessment of the situation. The 39 total acts of violence recorded were only 6 short of the 45 reported acts of violence for Robertson County, and the 39 reported acts are also at the median for the 54

[179] Richter, *Overreached on all Sides*, 181.

[180] Report of F.B. Sturgis July 1867. ROC, AC, T.

counties where the Bureau kept records (see table 12). Undoubtedly, the conduct of Delano during 1866 suppressed the reported incidents of violence for 1866. However, these figures do follow the established trends witnessed in almost all other counties, as the reported incidents of violence increased significantly from 10 to 15 in 1867, and dropped only slightly in 1868 to 14 incidents reported (see tables 4 and table 14).

Overall, the Upper Brazos River Valley had slightly fewer reported incidents of violence than the Lower Brazos River Valley, and it did not have the violent eruptions like the Millican Race Riot or the Brenham and Navasota Fires. However, violence in McLennan County remained exceedingly high between 1866 and 1868. The 95 reported acts of violence ranked first overall for the entire Brazos River Valley, and along with Harris County, was one of the most violent places in the state. An examination of table 4 reveals that outside of Milam County the number of outrages committed against the freedmen was remarkably similar between Burleson, Falls, and Robertson counties. With the exception of Milam County, every county in the Upper Brazos River Valley exhibited a disproportional high rate of violence towards blacks in each county when compared to their percent of the total population. There is strong evidence that violence in the Upper Brazos River Valley was widespread and constant throughout the entire region. As witnessed on the Lower Brazos there is also strong evidence to suggest that when the black population of a county was close to or less than the white population, there was a stronger tendency towards

violence. In all cases, those counties where the black population was higher than 60 percent witnessed significantly lower rates of violence.

There were 1431 incidents of violence found and incorporated into the data set, and of that number, 473 occurred in the 11 counties that form the Brazos River Valley. Of the estimated 2225 total acts of violence that occurred in the state of Texas between the years 1866 and 1868, almost 21 percent occurred in the eleven counties of Brazos River Valley. An index of representation value, which compares a county's percent of the state's total black population with a county's percent of the total incidents of violence for the state, is helpful in making comparisons between various counties and regions of the state. Values in excess of 100 indicate the black population of that county endured a disproportional amount of violence when compared to the rest of the state. However, as seen with the Lower Brazos River Valley's index value of 82, the significantly higher black populations there, when compared to other regions of the state, effectively dilutes the index values for many of the counties.[181] Specifically, Grimes and Washington counties, which ranked 9th and 14th respectively for total incidents of violence in the state, possessed an index value well below the norm. Grimes County's index value of 65 and Washington county's index value of 51 creates the illusion that the two areas were respectively free from violent incidents when compared to other parts of the

[181] For a detailed explanation of the Index of Representation see E.P. Hutchinson, *Immigrants and Their Children, 1850–1950* (New York: Wiley Press 1956): 302f.

state. By contrast, the Upper Brazos River Valley, which had 21,905 total fewer blacks and 11 fewer total incidents of violence, possessed an overall index value of 165 (see table 11 and 12). These numbers indicate that, despite the dilution of the index values from the Lower Brazos, the black communities living along the Brazos River Valley experienced an inordinate amount of violence. The Bureau reports revealed that labor disputes were a constant source of conflict and violence directed at the black communities. However, when political events entered the mix, violence against the freedmen increased significantly.[182] This clearly indicates that the black populations of Central Texas endured constant, and at times, an overwhelming amount of violence and hardship during Reconstruction in Texas.

[182] For a closer look at labor related violence in Central Texas see Campbell, *Grassroots Reconstruction in Texas*; Crouch, *Dance of Freedom*; *The Freedmen's Bureau and Black Texans*; and Richter, *Overreached on all Sides*. From the Bureau records the most notable examples of political violence would be the murder of the Burleson and Robertson County Registrars and the murder of George E. Brooks, the leader of the Millican Union League.

CHAPTER FOUR

THE FREEDMEN'S BUREAU AND THE LOWER COLORADO RIVER VALLEY

During the early years of Reconstruction violence against the freedmen was frequent and widespread. This forced federal agents in 1866 to investigate and report on the condition of blacks in Texas. A few historians have been critical of the function of the Freedmen's Bureau and the agents who served as subassistant commissioners.[183] A recent study by Christopher Bean finds that the Freedmen's Bureau in Texas was fully committed to protecting the rights of the freedmen. Bean's research reveals that most Bureau agents worked diligently to protect the rights of the newly freed slaves in Texas. There were a few agents, such as A. P. Delano, that did collude with planters, abused freedmen, or cheated the government. But, in all cases, once Bureau officials discovered these individuals inappropriate conduct, they promptly dismissed them from the agency.[184] As Bean points out "critics of the Bureau and its agents indict the Bureau for its failure to facilitate lasting change. A better question is "what 'could' they do, considering the circumstances they were

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[183] For a study that is critical of the Bureau's success in Texas see Richter, *Overreached on all Sides.*

[184] Christopher B. Bean. "A Stranger Amongst Strangers: An Analysis of the Freedmen's Bureau Subassistant Commissioners in Texas, 1865-1868," (Ph.D. diss., University of North Texas, 2008): 431. Also informative is Bean's "The Post of Greatest Peril?: The Freedmen's Bureau Subassistant Commissioners and Reconstruction Violence in Texas, 1865-1869," *Still the Arena of Civil War,* 36-62.

confronted with. That question definitely raises questions about the so-called 'failure' of these men and of the federal government's overall efforts during Reconstruction."[185] Bean's findings indicate that the reports of the subassistant commissioners are an invaluable resource from which to assess, not only the success or failure of the Bureau in Texas, but also the violence directed at the freedmen they were assigned to assist, help, and protect in their transition from slavery to freedom.

Reports filed by the Freedmen's Bureau and the United States Army tell a tragic story of violence inflicted upon the freedpeople in the state. With very few exceptions, the Bureau reports revealed that whites held a deep-seated hostility towards the freedmen. In these reports the subassistant commissioners had to address this question: "Report the disposition and feeling of the white people towards the freedpeople, as expressed by words and actions." Filing his report from the Houston County sub-district in June 1868, M.E. Davis answers this question in the following way: "There is an intensity and embittered feeling and deadly hatred manifested by a large majority of the white ex-rebels against the freedmen. This hostile disposition is expressed in both words and actions. This class of whites treat the blacks with the utmost contempt, insulting them by vile and abusive epithets… In many instances, assaulting them without reason."[186] To varying degrees this type of sentiment among the white population was

[185] Ibid: 450. Also see Bean's "A most singular and Interesting Attempt": The Freedmen's Bureau at Marshall, Texas, *Southwestern Historical Quarterly* 110 (April, 2007): 464-485.

[186] Reports of M.E. Davis, June 1868. ROC, AC, T.

expressed in a vast majority of the counties that compose this study. One of the striking features of the reports is the decided change in tone when there was a sufficient federal troop presence. It is clear that while federal troops were in a specific county, the rhetoric and actions of the white population were muted, but as soon as the troops left, violence against the freedmen erupted almost immediately upon their departure from the area. However slight and short lived, the reports do reveal that when a strong troop presence entered a county there was a noticeable decline in the violence inflicted upon the freedpeople for as long as they remained.[187]

F.D. Inge arrived in Leon County in early December 1865 and found himself involved in a conflict with the local planters and the county judge. Inge requested and received a company from the Twelfth Illinois Cavalry, only to find those troops mustered out by the end of May 1866. Inge informed Gregory that without troops it would be impossible to protect the freedpeople, but his pleas for additional troops fell upon deaf ears, leaving him to contend with the hostile environment by himself. This highlights the difficulty subassistant commissioners had in performing their duties without the support of federal troops. Further illustrating his point, Inge was assaulted in the middle of town a few days after making his request.[188] In Beaumont, 1st Lt. Charles Hardenbrook

[187] Billy D. Ledbetter's "White Texans' Attitudes toward the Political Equality of [N]egroes, 1865-1870," *Phylon* 40 (3rd Quarter 1979) provides an in-depth analysis of how white Texans' reacted to emancipation and the granting of political equality to the freedmen in the state.

[188] Reports of F.D. Inge, February, March 1866. ROC, AC, T.

noted that while federal troops were present the treatment of the freedmen was much improved, but within one day of the troops leaving to be mustered out, Hardenbrook received six threats on his life and the black school was in danger of being shut down by vigilantes.[189] The problem was that Texas was too large, violence too widespread, and there were too few troops to adequately protect the freedmen. Fundamental to understanding the rise of white on black violence after the Civil War is to understand that emancipation removed all the incentives white southerners had in protecting their former slaves.

It was not just labor issues and political activism that prompted violent responses from whites. Black churches and schools grew rapidly between 1866 and 1868, and those institutions also suffered attacks from the white population. School teachers were often threatened with violence or run out of town. Black churches were often vandalized and burned down. Conservative whites in Central Texas resented the rise of any and all black institutions. A freedman from New Hope Baptist Church in McLennan County noted that "services were often disrupted by lawless people of the other race." He went on to recall that one Sunday night while the minister was conducting a revival "some desperados fired two shots through a window of the church."[190]

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[189] Richter, *Overreached on all Sides*, 71. The theme of needing more troops runs throughout the subassistant commissioner reports. Brigadier General James Shaw called the area between San Antonio and Victoria "a veritable Hell hole of anti-union and anti-[N]egro sentiment." Ibid: 57.

[190] Carrigan, *The Making of a Lynching Culture*, 128.

Additionally, the Bureau focused on improving the educational opportunities of the freedpeople. Prior to the Bureau's arrival in 1865 there existed only one black school in Texas. At the end of 1868, when the Bureau closed its doors, another 51 schools were in existence serving 9,806 black students.[191] William Richter attempts to underscore the success of the Bureau in education by mentioning that when the Bureau closed, its assistant superintendent noted that the burning of school houses, and the harassment of teachers, so common in 1865, had virtually disappeared by 1870. However, the establishment and continuance of black schools was not without its problems. There were never enough books for all the students, and because of the geographic isolation of the state from the North, it was difficult to entice teachers to travel to Texas. Furthermore, pay was seasonal, and most schools operated part time. Finally, the Bureau did not have sufficient funds to operate schools long term, and when it became necessary to charge the freedmen for the cost of their education, they could not afford to pay tuition. As a result, the number of pupils begin to dwindle after 1868.[192]

Black schools organized by the Bureau were singled out as targets for violent acts. An examination of the Bureau records reveals that most whites appeared to accept the idea of education for the freedpeople. However, there

[191] Richter, *Overreached on all sides*, 58.

[192] Ibid: 90-91. Throughout General Kiddo's tenure he worked tirelessly with northern benevolent associations, such as the American Bible Society, the African Methodist Church, and the American Missionary Association to obtain schoolbooks and teachers with prepaid salaries. Ibid: 90.

existed a strong undercurrent of resentment within the documents. Bureau records indicate that there was a deep seated resentment of black schools if they operated during planting and harvesting seasons or interfered with other labor demands. In McLennan County a freedmen school in Waco was burned to the ground. In another instance, three men attempted to shoot and kill a black man named Warren Hunter because he taught at the local freedman school. Throughout Central Texas and the entire state school teachers were routinely threatened with violence, and in some cases, run out of town. Violence, and threats of violence directed at Bureau schools and teachers were a consistent problem and served to undermine the overall effectiveness of black schools in Texas.

The reports from both Austin and Bastrop Counties between 1866 and 1867 tell a chilling tale of intimidation, violence and murder. Byron Porter notes that during 1866 “at least 6 FMC [free men of color] were murdered, one was killed by another FMC and he was tried and convicted, the others were all committed by whites, but only one was bound over for trial, and he was not convicted. The Germans, of whom there is a good number in this town and county of Bastrop, are with very few exceptions, peaceable, law abiding loyal citizens. The majority of the native born citizens were disloyal and there is no denying that there is a deep seated bitterness of feeling among them and a

disposition among them to oppose and thwart any U.S. official in the discharge of their duties."[193]

During the summer of 1867, and continuing into 1868, the Klan began to operate in the counties along the Brazos and Colorado Rivers. Encouraged by newspaper editorials, the formation of Union Leagues, and the Constitutional Convention convened in June 1868, the Klan unleashed a reign of terror on the freedmen in Central Texas. They broke up Union League meetings and murdered their black political leaders when they attempted to exercise their political voice. To silence their supporters the Klan randomly assaulted freedmen and their white allies for no other reason than to elicit fear within their ranks. The conservative newspaper *The Houston Democrat,* wrote that "we firmly and honestly believe that the Klan should be encouraged and fostered by all true Southern men."[194] By the summer of 1868 the Union-leaning newspaper *Flake's Bulletin* was full of accounts of Klan outrages. One correspondent wrote on July 09, 1868 that "a party of horsemen, with masked faces, forced the door of a blacksmith, dragged him out of bed, took him out into the bushes… beat him unmercifully, and then… shot into the house… the mob of Ku Kluxers go the

[193] Reports of Byron Porter, October 1866 – April 1868, ROC, AC, T. Porter was one of the longer serving subassistant commissioners, stationed in Travis County from October 1866 – February 1867 and Bastrop County from February 1867 – April 1868. For a good examination of the political environment in Bastrop County and the influence of Germans living in the county see Kenneth Kesselus, *Bastrop County during Reconstruction* (Bastrop, Texas: Washington Jones Press, 2011).

[194] *Houston Democrat*, April 26, 1868.

rounds every night… The morning question now is, 'what did the Ku Kluxers do last night?"[195]

Klan violence reached an apex during the 1868 Constitutional Convention. *Flake's Bulletin* emphasized this point in the detailed account of the murder of George Smith, a Waco delegate at the Convention. Smith was assaulted by a group of hooded men on his way home from the convention. Afterwards, he was placed in the jailhouse for safety, along with several other freedmen who were potential targets of white aggression. The next evening, a gang of disguised men broke into the jailhouse and took Smith and the other freedmen outside, killed Smith, along with two of the other freedmen, and seriously wounded a third. The editor concluded "that the fear of the delegates to go home was well founded."[196] The terror elicited by the Klan was suffocating. Byron Porter, now the subassistant commissioner for Bastrop County, noted in his April 1868 report that "fear was everywhere and some families have fled the area."[197] In response, Assistant Commissioner Reynolds issued General Order #14, which prohibited the wearing of masks or other disguises under penalty of immediate arrest. The conservative press denounced and mocked the order, extolling the virtues of these organizations in protecting white supremacy.[198]

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[195] *Flake's Daily Galveston Bulletin*, October 11, 1868.

[196] "More Murder," *Flakes Daily Galveston Bulletin,* October 30, 1868.

[197] Report of Byron Porter, April 1868, ROC, AC, T.

Travis County was by far the most violent of all the counties in the Lower Colorado River Valley, with 71 total acts of violence. Following the end of the Civil War the county erupted into lawlessness with at least 30 arrests a day. Federal troops arrived about two months after the war's end and they provided a modicum of safety for the Union men and freedpeople residing in the county. However, by February 1866 most of the federal troops had been mustered out of service, leaving only about 200 state police to keep the peace. With the exit of federal troops and the passage of the Reconstruction Acts, violence in Travis County doubled, from 15 acts of violence reported for 1866 to 30 acts of violence reported for 1867. The Bureau and civil authorities were powerless to combat the violence or provide protection for the freedmen. Spurred on by the reintroduction of politics into the narrative, violence continued to escalate in 1868 (see table 5).[199]

The 71 total reported acts of violence for Travis County ranked sixth among all the counties included in this study (see table 9). In 1870 blacks accounted for 35 percent of the total population; however, they possessed an index of representation value of 176, which was among the highest values for the Colorado and Brazos River Valleys, second only to McLennan's County's

[198] *Houston Telegraph*, quoted in "What's Next?" *Flake's Daily Galveston Bulletin*, October 24, 1868.

[199] Ann Patton Baenziger's "The Texas State Police During Reconstruction: A Reexamination," Southwestern *Historical Quarterly* 72 (April 1969) provides a good overview on the Texas State Police during Reconstruction.

index value of 247 (see table 11).[200] This clearly illustrates that for black communities in Travis and the surrounding counties, violence was an overwhelming fact of daily life, fostering in them a constant state of fear.[201]

Bastrop County was one of only 19 counties that voted against secession. The secession vote for the county was 335 for and 352 against, with the bulk of the against vote coming from the Serbin area and the heavily German populated town of Bastrop. There were a few community leaders in favor of staying in the union, but Germans were the main group that voted against secession. The ending of the Civil War had a terrible effect on the communities in Bastrop County. The freedmen had an especially difficult time because conservative whites in the county used all means available to them including violence to maintain the status quo.[202]

Like many other areas of the state, bi-racial voter registration began in the county during the summer of 1867. The freedmen, Germans, and white Unionists were able to form a majority for the Republican Party. This allowed them to elect individuals to office that were committed to Congressional

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[200] To highlight the degree to which a specific group is represented within a given population, an index of representation is useful in allowing for comparisons between the various the groups. The index of representation was arrived at by dividing the percent of blacks within a county's total population by the percent of the county's total incidents of violence and then multiplying that number by 100 to arrive at an index value. A value of 100 represents a perfect relationship between the percent of a particular group within the total population and their relationship to the incidents of violence. Values that are over 100 represent overrepresentation in per black capita rates of violence, while values less than 100 represent underrepresentation.

[201] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Major General George A. Custer, Washington, March, 16, 1866, 76.

[202] Keselus, *Bastrop County During Reconstruction*, 82-83.

Reconstruction. However, the rising political affluence of the freedmen and Unionists was met with violent reprisals by conservative whites. Violence was especially harsh in the outlying areas of the county. Raids on the homes of the freedmen became so numerous that they began sleeping in the woods for fear of getting caught or killed. In addition, two of the county's delegates to the state's Constitutional Convention were kidnapped and hanged by and group of masked men, presumably with links to the Klan.[203]

The 55 reported acts of violence Bastrop County ranked second for the Lower Colorado River Valley. According to yearly totals 1867 was the most violent with 21 reported acts. There was only a slight drop in reported acts for 1868 (see table 5). In April 1868 the deteriorating conditions in the area prompted the Serbin Justice of the Peace Andreas Kieschnick to write a desperate letter to Governor Pease. In the letter Kieschnick tells a harrowing tale of being attacked personally by a band of outlaws and severely wounded with a bowie knife. He goes on to describe how the peaceable German settlers in the county are having all sorts of depravations committed against them. Kieschnick laments that his pleas for federal troops to assist in the arrest of murderers and assassins having fallen on deaf ears. He concludes his letter by

[203] Ibid: 83. Kesselus provides an in-depth discussion of the formation in Bastrop County of an interracial coalition of German Americans, Unionist whites, and African Americans, a critical point because German Americans held the balance of power between Democrats and Republicans in the county. Kesselus also found that empowerment at the polls did not insulate them from intimidation and violence. A critical point that reinforces one of the central findings of this study; mainly, that increased political activism on the part of the black communities in Texas has a direct correlation with the increase in the use of violence by white conservatives against them.

stating that he has lost all hope that the lawlessness in his jurisdiction can be dealt with and so he resigned his position as Justice of the Peace.[204]

It appears that the Klan was responsible for a considerable amount of violence in Bastrop County during the later part of 1867 and 1868. Klan activity in the county involved beatings, lynching's, the burning of freedmen and German homes, other buildings, and freedmen schools. One anonymous writer sent a note to the *State Journal* describing how the condition of affairs in the county was acutely desperate. The note went on the say that that the great majority of the violence was being directed at the freedmen and Germans residing in the area.[205]

This spirit of lawlessness was addressed by Byron Porter, the subassistant commissioner stationed in Bastrop, who noted in his October 1867 report that "the disposition among the majority of the whites is to concede to the freedpeople no more rights and privileges as citizens than they are forced too," and Porter reiterated this sentiment frequently.[206] James Oakes, the subassistant commissioner stationed in Austin County, commented on this latent

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[204] Kesselus, "Bastrop County During the Civil War and Reconstruction," Paper presented to the Wendish History and Knowledge Extravaganza (March 12, 2015). For more information on this unique part of the German experience in Texas see **https://texaswendish.org/**. Julius Schutze, a German immigrant who arrived in Bastrop in 1864 to teach school, was appointed after the war to serve as Chief Justice of Bastrop County by Provisional Governor Andrew J. Hamilton. In 1869 he was elected to the state legislature as a Republican. While in the legislature, Schutze's political career provides and excellent example of a Texas German during Reconstruction who worked to build a Republican Party on a base of Germans, freedmen, and white Unionists.

[205] Ibid.

[206] Reports of Byron Porter, October 1867-April 1868, ROC, AC, T.

fear among the freedpeople saying “that in the remote parts of the district the freedpeople are afraid to report incidents to his office for fear of violence.”[207] Oakes also noted that the arrival of the Klan and other groups into the county by the end of 1867 had a profound effect on violent acts being perpetrated against the freedmen population. This sentiment was also echoed in the reports of W.H. Farner, the subassistant commissioner stationed in Burleson County, who noted that the freedmen in the county were afraid to report acts of violence against them. It was Farner’s belief that the activities of the Klan and similar organizations was responsible for this fear.[208] It is clear that the arrival of the Klan in many Central Texas counties by 1868 had a profound effect upon the freedmen. Violence and fear of reprisals for reporting misconduct by the whites to the Bureau noticeably affected the number of reported acts of violence that the Bureau received.

Similar sentiments were expressed by Nesbit B. Jenkins in Wharton County. In his June 1868 report Jenkins appealed to Gregory for troops to protect the freedmen in his district who were being threatened and assaulted daily by “desperados.”[209] The 36 reported acts of violence for Wharton County were more in line with the average for all the regions studied. According to yearly totals violence followed an atypical pattern, with a significant decrease

[207] Report of James Oakes, March 1868, ROC, AC, T.

[208] Reports of W.H. Farner, March – December 1867, August, and October, 1868, ROC, AC, T.

[209] Report of Nesbit B. Jenkins, June 1868, ROC, AC, T.

from 1866 to 1867, followed by a sharp increase in reported acts for 1868 (see table 5). However, except for Travis County, the index of representation value of 133 indicates that violence in Wharton County was proportionally higher than any other county studied in the Lower Colorado River Valley. With blacks making up 85 percent of the county's total population, the index of representation value should be significantly lower than 100 (see table 11). However, this is explained by the low total population total for Wharton county. With just 3,426 total residents in the county, the 2,910 total black population as a percent of the state's total black population is extremely small, so that a few incidents of violence still produces a high index value.[210]

In what was a recurring theme of the subassistant commissioner reports for 1868, Louis W. Stevenson, the subassistant commissioner based out of Columbus in Colorado County, reported in May that while "no troops were necessary in Colorado County, in Fayette County there was a band of desperados that keeps everyone there in a state of terror, and troops are needed in that county to keep order and help the civil authorities dispense with justice."[211] Writing to his brother from Round Top, George Wilhelm Schwarting, a German immigrant living in Round Top, shared his insight into the violence being directed toward the black population in and around Round Top and

[210] The Index value is per capita, so it takes fewer acts of violence to make a high index value. For example, Nueces County had only 332 total blacks, but its index value of 1118 was the highest number for the entire state. See the Map: Black Population Distribution on page xi for a representation of a specific county's black population and it corresponding index values.

[211] Report of Louis Stevenson, May 1868, ROC, AC, T.

Fayette County. In his letter dated August 28, 1866 Schwarting speaks to the nature and severity of the violence directed towards the black population: "The situation with *Rowdy* gangs is increasingly alarming. The [N]egroes are the main targets – some have even been murdered, but the suspects always go free." In the next letter dated August 27, 1867 he provides further insight into to prevalent attitudes in Fayette County: "We are still under martial law, which is no small irritation to the Americans, but the 40 soldiers who are stationed here in Round Top can hardly keep the peace."[212]

The 36 total acts of violence for Fayette County tied for third with Wharton County. Bureau reports on the conditions in Fayette County revealed that the subassistant commissioner was deeply concerned about the protection of the freedmen. Desperados and Klan like organizations terrorized the county throughout the period between 1866 and 1868. However, it should be noted that as a percentage of the total population, acts of violence against the freedpeople was underrepresented with an index value of 71 (see table 5).[213] With a black population of 35 percent in 1870, the index value should be significantly higher, taking into account the details from the subassistant commissioner reports. However, the county had a significant German and Unionist element, and had

[212] Walter D Kamphoefner and Wolfgang Helbich, *Germans in the Civil War: The Letters They Wrote Home* (Chapel Hill: The University of North Carolina Press, 2006): 447. Immigrating from Germany Wilhelm Schwarting arrived in Texas in 1855. Schwarting's brother, Gerhard had arrived in Texas during the mid-1840s, but moved on California during the Gold Rush. Ibid: 419.

[213] With the Klan reported to be active in the area, it is likely that the reported acts of violence to the Bureau are significantly lower than what actually occurred.

actually voted with a slight majority against secession, due also in part to Anglo Unionists.

Similar to Austin, Fayette, and Bastrop counties, Colorado County's population included, not only southern born whites and African Americans, but also a significant German immigrant population. The onset of the Civil War and the creation of a new militia system were most unwelcome developments for many of the County's German residents, many of whom refused conscription into the state militia. German residents of the county, along with many others from the surrounding counties of Austin, Fayette, and Lavaca participated in the Union Loyalty League that was formed around Fredericksburg and New Braunfels in late 1860 or early 1861.[214]

The Confederate surrender brought fear and uncertainty for many of the county's residents. Caledonia Wright expressed these sentiments in a letter she wrote to her sister on June 11, 1865: "Everybody is very down in the mouth, we have little basis for hope, for the Yankeys who are dealing with us, and who have proven themselves to be the most cruel race that ever existed."[215] But, the most obvious change for the people living in Colorado County, like those in many other counties in Texas, was the transition from slavery to freedom.

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[214] Bill Stein, "Distress, Discontent, and Dissent: Colorado County Texas, during the Civil War," *Seventh Star of the Confederacy,* 306-307. For Reconstruction's effects on Lavaca County see Douglas Kubicek and Caroll Scrogin-Brincefield, "An Uncompromising Line between Yankee Rule and Rebel Rowdies: Reconstruction Violence in Lavaca County." *Still the Arena of Civil War, 371*-386.

[215] Campbell, *Grass-Roots Reconstruction in Texas*, 31.

However, freedom was more of a legal term than a reality for the freedmen living in Central Texas. The vast majority had no property, no place to go, and continued to live and work on the same plantations where they had been slaves for wages or a share of the crop.[216] Assistance for the freedmen finally arrived in the County with the arrival of the Bureau in October 1865. However, with the passage of the "black codes" in the summer and fall of 1866 by the Eleventh Legislature, the freedmen effectively had no political rights and inconsistent support from the Freedmen's Bureau during the first year of Reconstruction.[217]

Congressional Reconstruction seriously affected the local governments throughout the state, with hundreds of officials being removed from office between August and December 1867. However, with only one District Judge removed from office in Colorado County, the effect was minimal. The men that had been elected to office in 1866 remained in office due to their reputations for unionism, and the fact that the Bureau agent stationed in Columbus had not made any significant complaints against them. Nonetheless, with bi-racial voter registration beginning in July 1867 violence against the freedmen increased throughout the summer of 1867, and again in the months leading up to the February 1868 election of delegates to the Constitution Convention (see table 14).

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[216] Ibid.

[217] Ibid: 37. The Bureau in Colorado County had inconsistent and weak leadership throughout its first year in the county.

Colorado County had two seats up for election on the February ballot for the Constitutional Convention. Nearly 1,000 of the 1,141 registered blacks voted, as opposed to only about 150 of the registered whites. The response of the white population to their former slaves voting was muted, in part due the influence of the large German minority within the population. However, there was still intense animosity expressed by Columbus' white conservatives. The *Columbus Weekly Times* opined on June 6, 1868: "On Monday last… the convention met at Austin, composed (with few exceptions) of carpet baggers, thieves and [N]egroes, to form a constitution for the State. We presume it will be a rich document, if the [N]egroes and carpet baggers are in the majority, particularly if the [N]egroes have as little sense as *Parson* Ben, and the carpet baggers are as dishonest and destitute of honor as Foster."[218]

The reports of Louis M. Stevenson, who replaced E.M. Harris in February, 1868, reveal a deep concern about the attitudes of the local whites noting that six freedmen had been attacked between his arrival in late February and April of 1868. However, he reported only three acts of violence for the remainder of the year.[219] Overall, the reported acts of violence for Colorado County were significantly lower than the other counties of the Lower Colorado River Valley (see table 5). This is explained by the county's significant population of

[218] Campbell, *Grass-Roots Reconstruction in Texas,* 41-42. The names of Ben and Foster referred to B.F. Williams, the black minister in Columbus who had served as supervisor of the registrars. Ibid: 42. Also see William C Nunn, *Texas Under the Carpetbaggers,* (Austin: University of Texas Press, 1962).

[219] Report of Louis Stevenson, March, April, May, July – December 1868, ROC, AC, T.

Germans who settled in and around Frelsburg. The county was also home to what was intended to be the first German university in the state, Hermann University, chartered in 1844. The county voted in favor of secession 584 to 330, with the German population constituting the majority of the vote against secession. Of note, the German town of Frelsburg voted against the secession proposal 154 to 22. However, the county also was home to at least three "castles" of the Knights of the Golden Circle by 1860.[220] The Klan appeared in the county in late 1867 and worked to undermine the Bureau and the political aspirations of the freedmen. However, it appears their efforts were only marginally successful. Federal troops arrived in the county in June 1865, and were intermittently stationed there throughout Reconstruction. The most striking aspect of Colorado County was that the 27 total incidents of violence were the lowest for the region (see table 5 and table 11). Like Austin County, it appears that the presence federal troops, along with the presence of a substantial German population, worked to keep the escalation of violence to a minimal within the county.[221]

Overall, the five counties of the Lower Colorado River Valley had fewer total recorded incidences of violence than either, the six counties of the Lower

[220] The Knights of the Golden Circle (K.G.C.) was a secretive organization created in 1854 with the idea of establishing a slaveholding empire that would include the southern United States, the West Indies, Mexico, and parts of Central America. The ultimate goal of the Knights was that with the creation of an empire, they would have sufficient strength to preserve slavery in the South.

[221] For more detail on how the German population influenced secession and their relationship to the incidents of violence see footnote 145.

Brazos River Valley, or the five counties of Upper Brazos River Valley, and Travis County ranked third overall in recorded acts of violence for the entire state (see table 9). Between the two areas an interesting pattern appears. The counties closest to the Gulf coast possessed significantly lower total incidences of violence than those further inland. The likely explanation for this trend is the further inland a county was located, the more difficult it was to maintain federal troops. There were 1,431 incidents of violence found and incorporated into the data set, and of that number, 225 (17 percent) occurred in the five counties that form the Colorado River Valley. Of the estimated 2,225 total acts of violence that occurred in the state of Texas between the years 1866 and 1868, 11 percent occurred in the five counties of the Lower Colorado River Valley. With the exception of Colorado and Fayette counties, every county in the Lower Colorado River Valley exhibited a disproportional high rate of violence towards the black population when compared to their percent of the total population. Finally, the region's yearly violence totals closely mirror those of the Brazos, Trinity, and Neches River valleys (see table 15). This pattern would seem to indicate there existed a minimum threshold for violence that was related to factors including economic, social, and racial hatred. However, when political events challenged the precepts of white supremacy, the violence inflicted on the black communities of Texas rose significantly (see table 14 - 15).

CHAPTER FIVE

WEATHERING THE STORM: BLACK POLITICAL ACTIVISM AND RECONSTRUCTION VIOLENCE IN TEXAS, 1866-1868

Scholarship on Reconstruction has overwhelmingly emphasized the political motivations behind racial violence in Reconstruction. The traditional interpretation is that racial violence was inspired by Conservative whites to prevent blacks from mobilizing politically and to overthrow Republican rule. In July 1868 the Special Committee on Lawlessness and Violence asserted that politics was the primary source of violence in the state. The report noted that the murder of freedpeople in Texas increased at an alarming frequency between 1865 and 1868. Thirty-eight freedmen were murdered in 1865, 72 in 1866, 165 in 1867, and 133 through June 1868 (See table 2). Testimony before the committee asserted that whites were upset by the emancipation and enfranchisement of their former slaves. This resulted in a strong desire among whites to break up the Loyalty Leagues that were organizing the black communities into a political force for the Republican Party.[222] The totality of violence against freedmen had a cumulative effect.[223] Entire black communities become afraid to report injustices committed against them. They

[222] *Report of the Special Committee on Lawlessness and Violence in Texas*, 4-5.

[223] Ibid: 6. With increasing frequency, the subassistant commissioner reports take note of a growing fear of violence within the black community during 1867 and 1868. Also see footnote 169.

had come to view the courts as engines for their oppression, and they would rather suffer wrongs than seek legal redress.[224]

Politics, however, was by no means the only cause of Reconstruction violence, James Smallwood stresses that there were many different sources for racial violence during Reconstruction in Texas, but emphasized the importance whites placed on maintaining white supremacy. These efforts took various forms, from the burning of freedmen's schools, whites driving black farmers from their land, and punishing blacks for merely talking to a Bureau agent. Smallwood states that if "[N]egroes did not show due deference in all matters involving whites, they faced punishment," and he placed emphasis on economics as a primary causation for violence.[225] It was Smallwood's conclusion that the freedmen were hopelessly suppressed by whites, who individually and collectively, worked to keep blacks in their economic place. He does note there appeared to be an escalation of violence related to political crises; however, he finds that economic suppression remained relatively constant and suffocating throughout the reconstruction period.[226] Current data does appear to reinforce this conclusion. An examination of Table 15 illustrates that there was a minimum threshold for violence between 1866 and 1868, but

[224] For a more thorough examination of the courts during Reconstruction see James R. Norvell, "The Reconstruction Courts of Texas 1867-1873," *Southwestern Historical Quarterly* 62 (October 1958): 141-163.

[225] James Smallwood, *Time of Hope, Time of Despair*, 33.

[226] Ibid: 61.

also that violence fluctuated month to month, with large spikes in the incidences of violence followed by a drop off back to normal levels. Barry Crouch concedes that politics "was certainly a central part of the violence equation," but he contends that many other factors played a large role as well. Crouch, like Smallwood, argues that social and economic conflicts between blacks and whites may have been responsible for a large proportion of the violence reported in Texas.[227] Table 14 indicates that violence was a constant problem throughout the period and it suggests a strong relationship between racial violence and political developments, both in Washington and inside the state itself. The statistics suggest that at those moments where blacks attempted to exercise their political rights--in the months leading up to the elections of 1866; in the aftermath of the passage of the Third Reconstruction Act on July 19, 1867; the February 1868 election to determine if a Constitutional Convention was to be convened; and during the summer of 1868, when the state's Constitutional Convention was being held--there was a significant increase in the incidents of violence committed against Texas blacks. Whites, who were upset over Reconstruction policies, and incensed by the threat of a mobilized black electorate, resorted to violence in an attempt to maintain a semblance of their antebellum way of life.[228]

[227] Crouch "A Spirit of Lawlessness," 221

[228] ibid.

Scholars of Reconstruction Texas are correct in stressing the complexity of violence within the state. However, it is possible that violence against the black population possessed certain characteristics that help to explain the causes and motivations behind white violence against Texas blacks. An examination of Table 14 indicates that during the years between 1866 and 1868 the increase in the reported acts of violence mirrored political developments at the state and national level. The bar graph makes it clear that violence was not constant between January 1866 and December 1868. During the spring and fall of each year there was a noticeable drop in the number of incidences reported. Specifically, low points are witnessed in April 1866, April 1867, and October 1868. Violence peaked in July 1866, February 1867, August 1867, March 1868, and August 1868.[229] From a low of 19 reported incidents for April 1866, violence spiked over the next four months leading up to the election of a new government in Texas in June 1866. Headed by Governor Throckmorton, the new Conservative Union Party quickly passed the "black codes" in August. These codes rejected the Thirteenth and Fourteenth Amendments, and sent two ex-Confederate senators to Washington, only to see them denied their seats in Congress.[230] Violence peaked in July 1866 with 43 reported incidents, but

[229] This study reinforces and adds validity to findings of Greg Cantrell's "Racial Violence and Reconstruction Politics in Texas, 1867-1868." Cantrell noticed that violence escalated in specific months during 1867 and 1868 that corresponded with political events at the state and national level.

[230] Ramsdell, *Reconstruction in Texas*, 127-128; also see Rable, *But There was no Peace,* 33-58.

violence continued to be high over the next two months, as Throckmorton worked to undermine Reconstruction policies and the efforts of the Freedmen's Bureau in Texas.[231] The cumulative effect of this fostered a belief among the white population that Reconstruction was effectively over, and as a result, violence fell back to its normal level.

The passage of the Reconstruction Acts in March 1867, over President Johnson's veto, placed the South under martial law and divided it into five military districts. Texas and Louisiana comprised the Fifth Military District, under the command of General Philip Sheridan. Among other things, the acts required military authorities to register all voters, including the freedmen, and to supervise the election of delegates to a new constitutional convention. Sheridan quickly followed this up with Circular Order No. 13, issued on July 28, which required all potential jurors to take the "ironclad oath," and prescribed strict penalties for anyone who deprived a citizen of his civil rights. For anyone in Texas paying attention, the federal government was fully committed to giving blacks full political equality, and this sparked an intense backlash against the black communities of Texas over the next three months.[232]

Violence did not immediately spike in March and April after the passage of the first two Reconstruction Acts. While the Acts proclaimed the state

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[231] Richter, *Overreached on All Sides*, 93-94, 115-116, 150. The conservative government of Throckmorton openly defied Reconstruction policies of the federal government and worked to undermine the efforts of the Freedmen's Bureau.

[232] Cantrell, 335. Also see Richter, *The Army in Texas*, 244-246. Also see Rable, *But There Was No Peace*, 12.

governments provisional, General Sheridan did not believe he had the authority to make wholesale removals of duly elected officials.[233] However, on July 19, 1867 Congress passed a third Reconstruction Act specifically giving commanders the power to remove any public official who opposed Reconstruction. Within two weeks Sheridan removed Governor Throckmorton from office and replaced him with Elisha M. Pease.[234]

As Table 14 suggests violence increased significantly in July and August of 1867 as Sheridan replaced Throckmorton with Pease and asserted control over the administration of Reconstruction policies in Texas. As other scholars have suggested violence in Texas was the result of many factors. In addition to political motives, social and economic factors strongly contributed to the violence witnessed during the Reconstruction. However, the increase in violence during the summer of 1867 provides further evidence of a linkage between racial violence and political developments.[235]

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[233] Richter, *Overreached on All Sides*, 152.

[234] For an examination of the effect that the Reconstruction Acts had on the Freedmen's Bureau and violence in Texas see Richter, *Overreached on all Sides*, 92-95; Campbell, *Grass-Roots Reconstruction in Texas*,13, 15, 71, 115.

[235] For further insight into what forces might influence racial violence in Texas see Ramsdell, *Reconstruction in Texas*; Smallwood, *Time of Hope, Time of Despair;* Crouch, *A Spirit of Lawlessness*; Carl H. Moneyhon, *Republicanism in Reconstruction Texas* (Austin: University of Texas Press, 1980); George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: University of Georgia Press, 1984); William Richter, "The Army in Texas during Reconstruction, 1865-1870," (Ph.D. diss., Louisiana State University Press, 1970); Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (New York: Harper & Row, 1971).

Events in Washington D.C. were not the only factors driving whites toward violent acts. In the spring and early summer of 1867 whites throughout the state became increasingly alarmed by the formation of Union Leagues.[236] The formation of Union Leagues inevitably led to violent reprisals from whites who sought to protect their position of privilege and power. In Millican, George E. Brooks, the organizer of the Millican League, was murdered, and the black county registrars for Burleson and Robertson County were shot and killed because they dared to registrar blacks to vote. The Leagues were the principle vehicle through which Republican power was to be expressed throughout the state, and whites lashed out at the leaders of the black communities who attempted to organize them into a voting bloc. There was a race war going on within the state for the reins of power between 1866 and 1868, and it was a war that the black communities of Texas were completely unprepared to fight, and were completely outmatched in.[237] The federal government had at its disposal only a fraction of the troops necessary to protect the freedmen as they attempted to assert their newfound political rights. As political events took center stage during the summer of 1867, violent acts reported to the Bureau dramatically increased in July, peaked in August, dropped only slightly in

[236] Union Leagues were formed throughout the South as a means of mobilizing the black electorate.

[237] Richter, *Overreached on All Sides*, 314. While there were 52 blacks elected to serve in either the constitutional convention or the state legislature during the Reconstruction period, the black population paid a heavy price for its political activism. For further insight into black political activism in Texas see Alwyn Barr and Robert A. Calvert ed., *Black Leaders: Texans for their Times.*

September, before dropping off significantly for the remainder of the year (see Table 14). Whites, seeing a direct assault to their control of the reins of power, lashed out at the most visible symbol challenging their authority, the newly enfranchised black population of Texas.

Beginning in August 1867 General Sheridan removed most of the executive branch officials, and instructed General Griffin to remove county officials who were not loyal to the tenants of Reconstruction. Although Griffin died of yellow fever in September 1867, his successor, Gen. J.J. Reynolds completed the process. General Reynolds removed county officials wholesale throughout the state and replaced them with loyal Republicans. By the end of November, the general had appointed 644 Republican officials to state and local offices.[238] The decline in violence throughout the fall of 1867 suggests that the removal and replacement of county judges and sheriffs was having a positive effect in securing the lives and property of Texas blacks.[239]

The brief reprieve in the frequency of violence was short lived. In December 1867 the military announced that a special election was to be held in February 1868. This election was to determine if a new Constitutional Convention needed to be convened and delegates selected to attend the proposed convention. With thousands of blacks registered to vote and

[238] Moneyhon, *Republicanism in Reconstruction Texas*, 69. also see Richter, *The Army in Texas*, 127.

[239] *The Report of Special Committee on Lawlessness and Violence* reached this conclusion in its report to the state's Constitutional Convention in the summer of 1868.

conservatives whites stripped of political power, an atmosphere conducive to violence evolved in the months leading up to the February election.

Scholars disagree over the role the election of 1868 had on racial violence in Texas. John Pressley Carrier suggests that the election passed rather quietly, while Carl Moneyhon suggests that violence and threats of violence were real, and occurred throughout the state.[240] However, current research drawn from the Bureau records indicate that violence was, in fact, severe in the months just prior too, and immediately after the election. The spike in violence surrounding the election of 1868 closely resembles the spike in racial violence surrounding the events already described during the summer of 1867. The reported incidences of violence spiked from a total of 31 in January to 52 in February 1868, and the 68 reported acts of violence for March, are just two short of the three year high of 70 reported incidents for August 1867. This large increase in violence against the black population validates the idea that political related violence had a strong influence on the increased incidences of violence.

Violence over the next three months declined steadily to a low of 33 incidences for June 1868. However, with the exception of June 1868, violence for the first eight months of 1868 remained exceptionally high overall. Bureau reports suggest that the activities of Klan in many Texas counties was one factor

[240] Cantrell, 349. Also see Carrier, "A Political History," 241; Moneyhon, *Republicanism in Reconstruction Texas*, 75-79.

that worked to keep violence levels high, even though many acts were going unreported out of fear of reprisals. During the summer of 1868 reports of Klan outrages appear in the subassistant commissioner reports with an increased frequency. W.H. Farner's August 1868 report concerning the hanging of the Burleson Counter registrar was indicative of the violence the black population had to contend with. He went on to note that the freedmen of the area were suffering from numerous beatings, assaults, and robberies.[241]

The Constitutional Convention convened on June 1, 1868 and violence escalated dramatically over the next two months, from a low of 33 in June to a high of 56 in August. However, it did not reach the levels of violence seen in March after the state-wide election (see tables 13 and 14). In July and August Klan outrages committed against the freedmen became all too commonplace. In the town of Millican the Klan fired upon the freedmen in hopes of dispersing a meeting of the Union League. The event set in motion a chain reaction that would culminate in the Millican Race Riot. The event is indicative of the growing violence in Texas as politics dominated the headlines, the Freedmen's Bureau prepared to shut down operations on December 31, and the federal troop presence continued to be reduced.[242]

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[241] Richter, *Overreached on All Sides*, 104. Also see Trelease, *White Terror*, 137-141. Carl Moneyhon found that by 1868 there existed a virtual state of war between blacks and whites. Moneyhon, *Republicanism in Reconstruction Texas*, 95. Also see the Reports of Byron Porter, January - April 1868, and the report of James Oakes, March 1868, ROC, AC, T. And for the freedmen's fear to report incidences of violence see the Reports of W.H. Farner March – December 1867, August, and October 1868, ROC, AC, T.

Throughout the summer of 1868 the Bureau received reports of Klan violence throughout Texas. In East Texas the Klan was driving the freedmen from their land and the Knights of the Rising Sun had grown in strength throughout the region.[243] In October the Lamar County agent reported that the Klan had made several attempts on his life.[244] What is clear from the records is that by the summer of 1868 the Klan was carrying out a violent campaign of assault and murder on black communities throughout Texas, and this did work to keep the levels of violence high throughout the summer and early fall of 1868.

The Constitutional Convention's session adjourned at the end of August, no closer to adopting a new constitution than when they convened in June 1868. During the summer while the Constitutional Convention was going on, the Union League convened its state convention in late July, and the Republican Party convened their convention in mid-August. Led by George T. Ruby, a prominent African American Republican leader who would become the head of the Union League in Texas, the black faction demonstrated that it possessed substantial political power during both conventions. It is no surprise that this demonstration of black political power during the summer of 1868 corresponds with an increase in violence against the black communities in July and August of 1868 (see tables

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[242] Crouch, *The Freedmen's Bureau and Black Texans*, 121-127; Richter, *Overreached on All Sides*, 255-256.

[243] Reports of T.M.K. Smith, August 1868, ROC, AC, T.

[244] Reports of Philip Howard, November 1868, ROC, AC, T. Also see footnotes 192 -197 and related text.

14 and 15).[245] When the Convention ended with no apparent progress on a new state constitution, violence abruptly dropped in September and October, with October being the low point for the entire year. However, leading into the second session of the Convention, that was to convene in December, violence against the freedmen was again on the rise (see table 14).

While politically motivated violence cannot explain all the violence that occurred between 1866 and 1868, it is safe to conclude that the spikes in violence against the freedmen seen in the summer of 1866, January, February, and July through September 1867, and March and August 1868 were influenced by political events. A close examination of table 15 might suggest there was a seasonal component to violence. It has been suggested that labor contracts between planters and freedmen that were usually negotiated between December and January 10 often resulted in violence.[246] However, in 1866 violence remained at a relatively constant level for the first three months of the year, before dropping to a three year low in April. In 1867, violence spiked significantly, from 23 in December to 51 in January. However, in 1868 violence more resembles the trend from 1866 for the same December to January period. It is therefore, difficult to conclude that labor contract disputes were the root cause of the high rates of violence that seemed to occur at the beginning of the agricultural year. Planting season, which usually begins in February in South

[245] See Campbell, *Grassroots Reconstruction in Texas, 1865-1880*, 219.

[246] Richter, *Overreached on all Sides, 32*, 99.

Texas and March and April in Central Texas, again sees violence for 1866 right at the polynomial trendline for the years 1866 through 1868. For the same months in 1867, February is slightly higher at 36 incidences, but the 20 incidences for March are the second lowest monthly total of the three year period. Atypical results emerge for the same months in 1868, with a significant spike in the reported incidences of violence. The 1868 totals suggest that there was some outside influence at work that caused incidents of violence to be at an abnormally high level. It has also been suggested that violence against the freedmen during the summer months increased because the freedmen had more free time at their disposal.[247] However, this view is somewhat deficient because of the labor-intensive nature of maintaining crops, especially cotton, during the growing season. The fall harvest, which began as early as August, and as late as October, shows incidents of violence hovering around the linear three-year average.[248] Also, in each of the three years, violence for October was significantly less than it was for September and violence remained relatively low for the October to December time frame in each of the three years.

[247] For a further examination on the political developments of 1868 see Moneyhon, *Republicanism in Reconstruction Texas*, 82-83.

[248] For more information on the growing seasons in rural America see David Vaught's *The Farmers' Game: Baseball in Rural America* (Baltimore: Johns Hopkins University Press, 2013), and Karl E. Ashburn, "Slavery and Cotton Production in Texas," *The Southwestern Social Science Quarterly* 14 (December 1933): 257-271.

Therefore, if free time was responsible for increased violence, what accounts for the lower incidences of violence in the last three months of each year?[249]

The Bureau reports themselves rarely mention politics in relation to violent acts committed against the freedmen. Labor disputes, violations of social etiquette, and assaults motivated by simple racial hatred fill the pages of the Bureau reports. However, this does not imply that the spikes in violence detailed in Tables 14-15 did not have a political component to them. The months when violence peaked corresponded with political events where the freedmen were more assertive with their new social and political rights. The story that unfolds between 1866 and 1868 is one of a struggle to define a new relationship between the two races. However, any new definition would challenge the basic precepts of white supremacy. Conservative whites outwardly resented the arrival of federal troops, Bureau agents, and Republican politicians, and they openly resisted the policies of Reconstruction. The newly freed blacks of Texas were the most visible symbol of this new dynamic in Texas.[250] Social and labor related violence was commonplace throughout the period, but when the black communities of Texas began to assert their political rights, the frequency and severity of violence against the black population increased significantly.

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[249] Cantrell, 353. Cantrell reached the same conclusion in his study, noticing a similar tend for the last three months of 1867 and 1868.

[250] Rable, *But There was No Peace*, 85. Also see Leon Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: 1979), 278.

CHAPTER SIX

CONCLUSION

Overall, the newly freed blacks of Texas discovered that the cost of freedom was extremely high. In the immediate post war years they had to contend with an inordinate amount of abuse and violence directed at them by the white population. By 1870 blacks made up 31 percent of the population in Texas. However, 40 percent of the known murders in the state were blacks murdered by whites, while only ten whites were murdered by blacks during the same period (see table 1). Put another way, Bureau records were matched up with population totals from the 1870 federal census. The numbers indicate that roughly 97 percent of all violent acts were committed against adult black males in the 15 to 49 age group, while only 3 percent were committed against adult white males. This suggests that approximately 1 percent of the adult black male population between the ages of 15 and 49 years of age were killed between 1865 and 1868. Of the known murders in Texas, blacks were disproportionately overrepresented, possessing an index of representation of 133. Even more striking is that, of the 373 known blacks murdered by whites between 1865 and 1868, 65 percent occurred the greater central Texas region.[251] However, reports of murder in the Bureau records are relatively uncommon. Instead, in report

[251] Greater Central Texas region as defined to include the Brazos, Colorado, and Trinity River basins.

after report, assaults upon freedmen are listed as resulting from labor disputes or a breach of social etiquette. Leon Litwack argues that violence in the South during Reconstruction was well organized, and that groups of white men were primarily responsible for committing violent acts within the state. Evidence from Texas does not support Litwack's assertion.[252] Of the 1,431 acts of violence committed against blacks from the counties of this study, 915 (64 percent) were acts committed by individuals.

There is a distinct linkage between violence against the freedmen and political events between 1866 and 1868. Much of the Klan activity during 1867 and 1868 appears to have been politically motivated. Subassistant commissioner reports indicate that Klan violence against the freedmen escalated following the passage of Third Reconstruction Act in July 1867, and again during the Constitutional Convention of 1868. Throughout Central Texas during 1867 and 1868 black political activism increased as the freedmen formed Union Leagues and many served as county registrars. This directly challenged white supremacy inside the state, and forced the white community to respond to this new challenge to their control of the reins of power.

Of the four main river valleys that were home to large slave populations, the 473 reported acts of violence in the Brazos River Valley represent the highest total number of acts committed for any region of the state, and McLennan County, with 95 reported acts of violence, tied for first in the state

[252] Leon Litwack, *Been in the Storm So Long,* 276-277.

with Harris County (see table 12). By comparison, the 10 counties of the Trinity River Valley had 359 reported acts of violence, and the 70 reported acts of violence for Anderson County was the sixth highest total in the state (see table 12). The five counties of the Lower Colorado River Valley ranked third overall, with 225 reported acts of violence, but contained six fewer counties than the Brazos River Valley. The Neches River Valley, in eastern part of the state, ranked fourth with 211 reported acts of violence. But, the 80 reported incidents of violence for Smith County was the highest in the region, and ranked fourth overall in the state (see tables 4 – 9).

However, using an index of representation that compares a regions' percent of the total incidents of violence with its percent of the total black population for the state reveals that the black communities of the Trinity River Valley and the Upper Brazos River Valley were slightly more prone to have violent acts inflicted upon them. The Trinity River Valley's index of representation value of 237 was the highest any area examined. Only slightly less was the Lower Colorado River Valley with an index of 169, followed by the Upper Brazos River Valley with and index value of 165. The black communities living in the Neches River Valley were slightly underrepresented with an index of 95. These figures do provide strong evidence that violence in the state was widespread throughout its agricultural regions (see table 11).

The Brazos River Valley was one of the most violent regions in Texas. In 1870 there were 253,475 blacks living in Texas, representing 31 percent of the

state's total population. The eleven counties of the Brazos River Valley contained 61,577 blacks, which accounted for 21 percent of the state's total black population, and this high concentration of blacks does bring down the index of representation values, especially for the counties of the Lower Brazos (see table 11). While incidents of violence were widespread and relatively uniform through the agricultural regions of the state, it was only in the Lower Brazos River Valley that eruptions in violence such as the Millican Race Riot and the Brenham Fire occurred.[253]

As one would expect, the frequency of violence is directly related to the percentage of blacks within the population. The two counties that possessed black populations over 70 percent displayed a significantly lower tendency toward violence than those counties were the white population was either slightly in the majority, or approximately equal to the black population (see table 10).

McLennan County, which had one of the smallest black populations at 34 percent, displayed the greatest tendency toward violent acts committed against its black population. Austin County and Colorado County were the only two counties that deviated significantly from the norm. Blacks made up 44 percent of the population for both counties, and yet violence in those two counties was significantly underrepresented (see table 11). This is likely explained by the

[253] Even in the North Texas Region, with only three counties included in table 8, there was a staggering total of 146 acts of violence for the years 1866 to 1868.

presence of large numbers of Germans and a periodic federal troop presence between 1865 and 1868 in each county.

Traditionally, politics has been the main focus of scholarship on Reconstruction violence, but recent studies suggests that, while politics continues to be a main cause, economic and social conflicts between blacks and whites were responsible for a significant amount of white on black violence. James M. Smallwood points out that the attempts of white Texans to maintain white supremacy took various forms: masters holding blacks in slavery long after the Civil War was over, the burning of freedmen's schools, the driving of black farmers from their land, and lashing out at blacks just for talking to a Bureau agent. Smallwood concludes that "Anglos beat blacks for almost any offense, including indications by freedmen that they were in fact emancipated. If '[N]egroes' did not show due deference in all matters involving whites, they faced punishment."[254]

What is clear is that violence in Texas does not have a monocausal explanation. The Bureau reports indicate several important themes: Violence was widespread throughout all regions of the state; civil authorities failed to protect the lives and property of the freedmen; arguments over wages and labor dominated the reported violent acts being perpetrated on the freedmen; Bureau agents never had enough troops to adequately perform their duties and protect

[254] James Smallwood, *Time of Hope, Time of Despair: Black Texans During Reconstruction* (Port Washington, New York, National University Publications, 1981), 34.

the rights of the freedmen; and many acts of violence appear to have been motivated by pure and simple racial hatred. It was into the dynamic that Republicans initiated a sustained effort in the state to mobilize the black communities into Union Leagues to assert greater control over state politics during 1867 and 1868. This fostered a deep-seated resentment among the white conservative population that often exploded in violent acts directed at the organizers of those efforts, and the black population in general.

Racial violence reached an apex in the summer of 1867 when the Third Reconstruction Act was passed and Governor Throckmorton was removed from office. Assistant Commissioner Griffin described the conditions in Texas during the summer of 1867 as follows: "There is still a large part of the State where murder is bold and unchecked, in these parts if the life of a white man is worth but little, the life of a freedmen is worth nothing."[255] It has been argued that with the removal of Governor Throckmorton and the installation of Republican officials as county judges and sheriffs, the lives and property of the freedmen became more secure, and this led to a decline in the rates of violence in the later part of 1867 and early1868.[256] However, while there was a slight drop in reported acts of violence between 1867 and 1868, there are other factors that explain the slight drop in reported acts of violence for 1868.

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[255] Griffin to Howard, July 11, 1867, "Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1868, BRFAL.

[256] Gregg Cantrell, "Racial Violence and Reconstruction Politics in Texas, 1867-1867," *Southwestern Historical Quarterly* 93 (Jan 1990): 347.

There was strong resentment to the passage of the Reconstruction Acts in 1867, as well as the Constitutional Convention held in Austin in 1867, both of which encouraged whites and groups of whites to resort to intimidation, and acts of violence to maintain their control of the reins of power. During 1867 and 1868 the Klan, and similar groups, initiated a widespread campaign of murder and assault on the black population throughout the Central Texas region. The Klan was also extremely active in North Texas and in at least 20 counties in East Texas during 1868. The result was that Texas blacks became reluctant to report acts of violence to the Bureau out of fear of reprisals.

Statistics drawn from the Committee on Lawlessness and Violence support this conclusion and show a sharp increase in violence in the first seven months of 1868. Testimony before the committee in July 1868 reveals a deep-seated bitterness against the government by the white population and that it had become even worse during 1868.[257] This is validated by the sharp increase in crimes against the freedmen that occurred over the previous seven months. During the roughly three months of Governor Pease's administration, the murders in Texas averaged 9 per month. Between January and July 1867 and October through November 1867, murders averaged 18 per month. However, beginning with the Hancock administration in December 1867, murders averaged 31 per month. Put another way, once Throckmorton was removed

[257] One of the questions the subassistant commissioners had to address was "describe the attitude of the white population towards the freedmen. Overwhelmingly, their answer revealed a deep-seated bitterness towards the freedmen population in many areas of the state.

from office and when Hancock took over the command of the 5th military District in November 1867, the murders committed in Texas over the next 7 months tripled, as Republicans paid special attention to registering black voters in an attempt to assert greater control over Texas during 1868. As Hancock and Pease begin laying the groundwork for the second state constitutional convention, which would convene later that year, the number of freedmen and union men murdered averaged 60 per month.[258] This clearly indicates that the rise in the death rate in Texas correlates with Congressional Republicans attempts to control the Reconstruction process.

This data set does leave significant room for further analysis. Examining the reported incidents of violence for both the Trinity and Neches River Valleys poses significant questions. In both areas there existed numerous counties with black populations in the 40 to 50 percent range of the county's total population, and the reported incidents of violence is comparatively high, with some of the highest indexes of representation values for the state. Further examination of these areas is needed to fully understand violence in Texas (see table 11). At the county level, a closer examination of the effects bi-racial voter registration had on violence in individual counties in Texas would be informative. Also, studies need to be conducted in other states examining the monthly trends in

[258] Galveston Daily News, July 17, 1868. Excerpt from the Texas Convention on Lawlessness and Violence held during the summer of 1868.

violence to determine if the relationship between political events and increased levels of violence found here have similar findings in other southern states.

Major Gen. George A. Custer, stationed in Austin, succinctly described the situation in Central Texas in his testimony before the Joint Committee on Reconstruction. Planters, he observed, were able to use the indebtedness of tenants to landlords as a means of controlling the freedmen labor force. While freedmen did possess the right to seek employment elsewhere, it was more illusory than reality because they had few real choices available to them other than to labor on some other person's land, but this option was limited as well, because their level of indebtedness kept them tied to land in much the same way that they had been when they were slaves.[259] Custer also noted that the activities of the Freedmen's Bureau alarmed the white population, especially its attempt to educate the black population, but, also its circumvention of due process and trial by jury, essentially acting as a military tribunal. Custer correctly saw that the courts by themselves provided inadequate protection for the freedmen and, like the Bureau, only served to provoke whites to even greater opposition. However, foreshadowing the development of Jim Crow laws in the South, there was one answer in Custer testimony that stood out above the rest: When asked "what would be the condition of the colored population in Texas, if the people were left to do with them as they pleased?" Custer

[259] U.S., *Joint Committee on Reconstruction: Florida, Louisiana, Texas.* (RJCOR IV), Testimony of Major General George A. Custer, Washington, March, 16, 1866, 75. Also see the Testimony of Major General David S. Stanley, 76.

responded "I think a system of laws would be passed, which, while it would not give the former owners the right to transfer freedmen without their consent to another owner, they would still have as much control over their labor as they had before slavery was abolished. And I think, too, that it would inaugurate a system of oppression that would be equally as bad as slavery itself." [260]

Violence in Central Texas was motivated by a variety of reasons. The Brenham riot was less about race and more about a general atmosphere of lawlessness. The citizens of Brenham showed a complete lack of respect for authority, and federal soldiers possessed none of the usual restraints of American military units. It was inevitable that these two elements would clash in Brenham. It was somewhat ironic that the soldiers sent to Brenham, in part to assist in the protection of the freedpeople, were the ones that were inflicting violence upon them, and it was the local citizens who wanted the soldiers to act appropriately. In Millican, race was the determining factor in the riot. Encouraged by the Klan, the white citizenry of Millican grew increasingly alarmed as the black population organized Union Leagues and became politically active, which served as a direct threat to white's control of the political process. Whites' fear was further enhanced by the fact that Millican blacks were raising and training a militia. Combined with a low federal troop presence, Millican became a virtual powder keg waiting for the right spark to ignite it.

[260] Ibid. Also, Thomas Nester's PhD dissertation "U.S. 7th Cavalry Regiment in Reconstruction, 1865-1876" found that Custer was a Democrat and unsympathetic to Klan suppression under the Grant administration, instead leaving the work to his subordinate Col. Lewis Merrill, and this gives Custer's testimony additional weight.

There were other reasons for racial violence during Reconstruction. A significant number of local officials believed in the necessity of undermining and removing the Republican Party from the region. There was deep anger generated by the Confederate defeat and the economic collapse that followed. Also, there was the historical memory of violence used not only against slaves, but also Native Americans, Unionists, and real or suspected abolitionists.[261] But ultimately, racial violence in Texas was primarily motivated by one of two main themes, one political, the other economic. Politically, whites resorted to violence to prevent newly enfranchised African Americans from asserting their new civil rights that could change the structure of political power at the local, state, and national level. As the freedpeople of Central Texas and members of the Republican Party organized Union Leagues with the expressed purpose of asserting political power, whites reverted to using violence as a means of answering what they perceived to be a direct challenge to their political control.

Economically, the introduction of the free labor system combined with the arrival of the Freedmen's Bureau to ensure that the freedmen received adequate protection was more than the white communities in Texas could tolerate. Whites resented efforts to enforce a free-labor system, and they resorted to intimidation and violence in order to maintain the central precepts of their economic system. The supreme irony is that once the Freedmen's Bureau closed down and federal

[261] William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836-1916* (Chicago: University of Illinois Press 2004): 112-131.

troops left the South, the advancements that were made during Reconstruction quickly eroded away. By the beginning of the twentieth century the basic foundations of Jim Crow had been established and a system of subjugation through intimidation and violence would remain a staple of race relations in the United States for another sixty years. It would take what C. Vann Woodward termed, a "Second Reconstruction," to complete what was left unfinished by the first.[262]

[262] C. Vann Woodward, *The Strange Career of Jim Crow*, 3rd ed. (New York, Oxford University Press, 1974): 197.

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APPENDIX A

STATISTICAL TABLES

Table 1: Homicides in State of Texas, 1865-1868*

Blacks murdered by whites	373 (40%)
Blacks murdered by Blacks	48 (5%)
Whites murdered by blacks	10 (1.06%)
Whites murdered by whites	460 (49%)
unknown	48 (5%)
Total	939

*The statistics found within table 1 are used with permission from *Still the Arena of Civil War, Violence and Turmoil in Reconstruction Texas, 1865-1874*, Kenneth Howell Ed. (Denton: University of North Texas Press) Copyright 2012 by University of North Texas Press.

Table 2: Murders in State of Texas by Race of Victim, 1865-1868

Year	Blacks	Whites	Total
1865	38	39	77
1866	72	70	142
1867	165	166	331
1868	133	171	304
Year Unknown	21	24	45
Race Unknown			40
Total	429	470	939

* Statistics drawn from the "Report of the Special Committee of Lawlessness and Violence in Texas," *Journal of the Reconstruction Convention* (Austin, 1868).

Table 3: Freedmen's Bureau: Total Reported Acts of Violence, 1866-1868*

Acts of Violence	2225
Murders	900
Indictments	249 (11.19%)
Convictions	5 (2.01%)
Capital Executions	1

*The statistics found within Table 3 are used with permission from *Still the Arena of Civil War, Violence and Turmoil in Reconstruction Texas, 1865-1874*, Kenneth Howell Ed. (Denton: University of North Texas Press) Copyright 2012 by University of North Texas Press.

Table 4: Incidents of Violence in the Brazos River Valley

County		**Year**			
Lower Brazos					
River Valley	1866	1867	1868	Total	Rank
Austin	4	14	4	22	5
Brazoria	4	6	9	19	6
Brazos	7	24	22	53	3
Fort Bend	11	8	14	33	4
Grimes	10	31	19	60	1
Washington	16	11	27	54	2
Total	52	94	95	241	
Upper Brazos River Valley					
Burleson	7	14	11	32	4
Falls	10	15	14	39	3
Milam	7	8	7	22	5
McLennan	30	29	36	95	1
Robertson	13	16	15	44	2
Total	67	82	83	232	
Total incidents	113	169	163	473	

*Dale Baum has estimated that there was a staggering 2,225 physical acts of violence.
While these figures are not exact, the roughly 473 known acts of violence in the six counties combined of the Lower Brazos Valley constituted 10.54 percent of the total acts of violence inflicted upon the African American population of Texas in the three years following the Civil War.
* Numbers for incidences of violence obtained from the "Records of the Assistant Commissioner for the State of Texas," *Bureau of Refugees, freedmen, and Abandoned Lands*, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 5: Incidents of Violence in Lower Colorado River Valley

County		**Year**				
	1866	1867	1868	Total	% of total	Rank
Bastrop	18	21	16	55	3.909	2
Colorado	7	9	11	27	1.919	5
Fayette	10	14	12	36	2.559	3
Travis	15	30	26	71	5.046	1
Wharton	15	8	13	36	2.559	3
Total	65	82	78	225		

*Numbers for incidences of violence obtained from the "Records of the Assistant Commissioner for the State of Texas," Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 6: Incidence of Violence in the Trinity River Valley

County	Year					
	1866	1867	1868	Total	% of total*	Rank
Anderson	17	30	23	70	6.397	1
Freestone	11	12	13	36	2.559	4
Houston	4	12	10	26	1.848	7
Kaufman	6	10	11	27	1.919	6
Leon	7	14	13	34	2.416	5
Liberty	5	10	7	22	1.564	9
Navarro	7	8	5	20	1.421	10
Polk	8	9	7	24	1.706	8
Walker	7	18	15	40	2.843	3
Trinity	17	24	16	57	4.051	2
Total	99	152	123	356		

*Percent of Total is based up the 1431 recorded acts of violence recorded in the Data Set.
*Numbers for incidences of violence obtained from the Records of the Assistant Commissioner for the State of Texas," Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 7: Incidence of Violence in the Neches River Valley

County	Year					
	1866	1867	1868	Total	% of total	Rank
Jasper	8	16	12	36	2.558	2
Nacogdoches	9	9	5	23	1.634	5
Rusk	7	10	6	23	1.635	4
Shelby	7	16	9	32	2.274	2
Smith	20	35	25	80	5.686	1
Tyler	5	6	6	17	1.208	6
Total	56	92	63	211		

*Numbers for incidences of violence obtained from the Records of the Assistant Commissioner for the State of Texas," Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 8: Incidence of Violence in North Texas Region

County	Year					
	1866	1867	1868	Total	% of total	Rank
Dallas	14	24	17	55	3.909	1
Denton	6	18	12	36	2.559	2
Grayson	13	23	19	55	3.909	1
Total	33	65	48	146		

*Numbers for incidences of violence obtained from the Records of the Assistant Commissioner for the State of Texas," Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 9: Freedmen's Bureau Records: Total incidents recorded by County

County	**Year**						
	1866	1867	1868	Total	% of County Total (1431)	% of Bureau Total (2225)	Total Rank
Anderson	17	30	23	70	6.397	3.146	2
Austin	4	14	4	22	1.563	0.989	19
Bastrop	18	21	16	55	3.909	2.472	7
Brazoria	4	8	9	21	1.493	0.944	20
Brazos	7	24	22	53	3.127	1.978	9
Burleson	7	14	11	32	2.274	1.438	14
Dallas	14	24	17	55	3.909	2.472	7
Denton	6	18	12	36	2.559	1.612	11
Grimes	12	33	15	60	4.274	2.697	5
Colorado	7	9	11	27	1.919	1.213	15
Falls	10	10	14	34	2.416	1.528	12
Fayette	10	14	12	36	2.559	1.618	11
Fort Bend	11	8	14	33	2.345	1.483	13
Freestone	11	12	13	36	2.559	1.620	11
Grayson	13	23	19	55	3.909	2.472	7
Houston	4	12	10	26	1.848	1.169	16
Hunt	5	8	10	23	1.635	1.034	19
Jasper	8	16	12	36	2.558	1.618	11
Kaufman	6	10	11	27	1.919	1.213	15
Leon	7	14	13	34	2.416	1.528	12
Liberty	5	10	7	22	1.564	0.989	19
McLennan	30	29	36	95	6.752	4.267	1
Milam	7	8	7	22	1.564	0.989	19
Nacogdoches	9	9	5	23	1.634	1.034	18
Navarro	7	8	5	20	1.421	0.899	22
Polk	8	9	7	24	1.706	1.079	17
Robertson	13	16	15	44	3.127	1.978	9
Rusk	7	10	6	23	1.635	1.034	18
Shelby	7	16	9	32	2.274	1.438	14
Travis	15	30	26	71	5.046	3.191	4
Trinity	17	24	16	57	4.051	2.562	6
Tyler	5	6	6	17	1.208	0.764	23
Smith	20	35	25	80	5.686	3.596	3
Walker	7	18	15	40	2.843	1.798	10
Washington	16	11	27	54	3.838	2.427	8
Wharton	15	8	13	36	2.559	1.620	11
Total	379	559	497	1431	100%	63.236%	

*Numbers for incidences of violence obtained from the "Records of the Assistant Commissioner for the State of Texas," Bureau of Refugees, freedmen, and Abandoned Lands, 1865-1869 [microform]. Texas A & M University.
*All tabulations by the author.

Table 10: Population Totals for Texas by County 1860 and 1870

	1860 Total population			1870 Population				
County	Total pop	White	Slave pop	Total	White	Slave	% Increase in Slave pop	Estimated Index Value
Anderson	10398	6730 (65%)	3668 (35%)	9229	4793 (52%)	4436 (48%)	768 (17%)	180
Austin	10139	6225 (61%)	3914 (39%)	15087	8513 (56%)	6574 (44%)	2660 (40%)	38
Bastrop	7006	4415 (63%)	2591 (37%)	12290	7057 (57%)	5233 (42%)	2642 (50%)	119
Brazoria	7143	2033 (28%)	5110 (72%)	7227	1491 (21%)	5736 (79%)	626 (11%)	41
Brazos	2776	1713 (62%)	1063 (38%)	9205	5446 (59%)	3759 (41%)	2696 (72%)	151
Burleson	5683	3680 (65%)	2003 (35%)	8072	5051 (63%)	3021 (37%)	1018 (34%)	121
Dallas	8665	7591 (88%)	1074 (12%)	13314	1120 (84%)	2109 (16%)	1035 (49%)	297
Denton	5031	4780 (95%)	251 (05%)	7251	6751 (93%)	500 (07%)	249 (50%)	183
Grimes	10307	4839 (47%)	5468 (53%)	13218	5297 (40%)	7921 (60%)	2453 (31%)	125
Colorado	7885	4326 (55%)	3559 (45%)	8326	4625(56%)	3701 (44%)	142 (04%)	119
Falls	3614	1898 (53%)	1716 (47%)	9851	5170 (52%)	4681 (48%)	2965 (63%)	127
Fayette	11604	7818 (67%)	3786 (33%)	16863	10962 (65%)	5901 (35%)	2115 (36%)	79
Fort Bend	6143	2016 (33%)	4127 (67%)	7114	1604 (23%)	5510 (78%)	1386 (25%)	171
Freestone	6881	3268 (47%)	3613 (53%)	8139	4771 (59%)	3368 (42%)	-245 (-7%)	163
Grayson	8184	6891 (84%)	1293 (16%)	13218	11073(84%)	2145 (17%)	852 (40%)	153
Houston	8058	5167 (64%)	2891 (36%)	8147	4605 (57%)	3542 (43%)	723 (20%)	117
Hunt	6630	6053 (91%)	577 (09%)	10291	9213 (90%)	1078 (10%)	501 (46%)	82
Jasper	4037	2426 (60%)	161 (40%)	4218	2459 (58%)	1759 (42%)	148 (08%)	314
Kaufman	3936	3403 (86%)	533 (14%)	6895	6057 (88%)	838 (12%)	503 (60%)	144
Leon	6781	4161 (61%)	262 (39%)	6523	3815 (58%)	2708 (42%)	88 (03%)	192
Liberty	3189	2110 (66%)	1079 (34%)	4414	2439 (55%)	1975 (45%)	896 (45%)	183
McLennan	6206	3811 (61%)	2395 (39%)	13500	8873 (66%)	4627 (34%)	2232 (48%)	259
Milam	5175	3632 (70%)	1543 (30%)	8984	6007 (67%)	2977 (33%)	1434 (48%)	90
Nacogdoches	8292	5933 (72%)	2359 (28%)	9614	633 (66%)	3275 (34%)	916 (28%)	88
Navarro	5996	4106 (68%)	1890 (32%)	8879	6634 (75%)	2245 (25%)	355 (16%)	83
Polk	8300	4098 (49%)	4202 (51%)	8707	4409 (51%)	4298 (49%)	96 (02%)	101
Robertson	4997	2739 (55%)	2258 (45%)	9990	5460 (55%)	4530 (45%)	2272 (50%)	162
Rusk	15803	9671 (61%)	6132 (39%)	16916	9201 (54%)	7715 (46%)	1583 (21%)	50
Shelby	5362	3885 (72%)	1477 (28%)	5732	3977 (69%)	1755 (31%)	278 (16%)	205
Travis	8080	4944 (61%)	3136 (39%)	13153	8506 (65%)	4647 (35%)	1511 (33%)	199
Trinity	4392	3433 (78%)	959 (22%)	4141	3057 (74%)	1084 (26%)	125 (12%)	506
Tyler	4525	3377 (75%)	1148 (25%)	5010	3538 (71%)	1472 (29%)	324 (22%)	125
Smith	13392	8410 (63%)	4982 (37%)	16532	9401 (57%)	7131 943%)	2149 (30%)	178
Walker	8191	4056 (50%)	4135 (50%)	9776	3953 (40%)	5823 (60%)	1688 (29%)	150
Washington	15215	7274 (48%)	7941 (52%)	23104	10863(47%)	12241 (53%)	4300 (35%)	86
Wharton	3380	646 (19%)	2734 (81%)	3426	516 (15%)	2910 (85%)	176 (06%)	387

*Population totals extracted from U.S. *Census Bureau. Population Density, 1860, 1870, Prepared by Social Explorer, (accessed February 15 13:58:03 EST 2018).*
*All tabulations by the author.

Table 11: Regional Index of Representation Values

County	Total Pop	White	Black	Total acts of Violence	Index Value 1860 Total Pop	Index Value 1870 Total Pop	Estimated Index Value 1867 Total Pop
Austin	15087	8513 (56%)	6574 (44%)	22	40	38	39
Brazoria	7227	1491 (21%)	5736 (79%)	21	34	41	40
Brazos	9205	5446 (59%)	3759 (41%)	53	340	133	151
Grimes	13218	5297 (40%)	7921 (60%)	60	68	65	65
Fort Bend	7114	1604 (23%)	5510 (78%)	33	66	68	68
Washington	23104	10863(47%)	12241 (53%)	54	56	50	51
Total LBR	**74955**	**27917**	**41741(55%)**	**243 17%**	**74**	**66**	**82**
Burleson	8072	5051 (63%)	3021 (37%)	32	131	121	123
McLennan	13500	8873 (66%)	4627 (34%)	95	326	234	247
Milam	8984	6007 (67%)	2977 (33%)	22	117	84	89
Robertson	9990	5460 (55%)	4530 (45%)	44	160	111	118
Falls	9851	5170 (52%)	4681 (48%)	39	163	83	91
Total UBR	**50397**	**30561**	**19836**	**232 16%**	**149**	**133**	**165**
Total BRV	**117810**	**58478 (49%)**	**61577 (51%)**	**473 (32%)**	**97**	**88**	**109**
Bastrop	12290	7057 (57%)	5233 (42%)	55	174	120	128
Colorado	8326	4625 (56%)	3701 (44%)	27	62	83	78
Fayette	16863	10962 (65%)	5901 (35%)	36	78	70	71
Travis	13153	8506 (65%)	4647 (35%)	71	186	174	176
Wharton	3426	2734 (81%)	2910 (85%)	36	108	141	133
Total LCR	**54773**	**33884 (62%)**	**20566 (38%)**	**246 (17%)**	**152**	**136**	**169**
Anderson	9229	4793 (52%)	4436 (48%)	90	157	180	175
Freestone	8139	4771 (59%)	3368 (42%)	36	82	122	111
Houston	8147	4605 (57%)	3542 (43%)	26	74	84	82
Kaufman	6895	6057 (88%)	838 (12%)	27	416	357	376
Leon	6523	3815 (58%)	2708 (42%)	34	107	143	134
Liberty	4414	2439 (55%)	1975 (45%)	22	167	127	133
Navarro	8879	6634 (75%)	2245 (25%)	20	87	102	98
Polk	8707	4409 (51%)	4298 (49%)	24	47	64	60
Trinity	4141	3057 (74%)	1084 (26%)	57	488	599	574
Walker	9776	3953 (40%)	5823 (60%)	40	79	78	78
Total TRV	**74135**	**41992 (51%)**	**22392 (43%)**	**376 (23%)**	**214**	**191**	**237**
Jasper	4218	2459 (58%)	1759 (42%)	36	183	233	222
Nacogdoches	9614	6339 (66%)	3275 (34%)	23	80	80	80
Rusk	16916	9201 (54%)	7715 (46%)	23	31	34	33
Shelby	5732	3977 (69%)	1755 (31%)	32	178	208	202
Smith	16532	9401 (57%)	7131(43%)	80	132	128	129
Tyler	5010	3538 ((71%)	1472 (29%)	17	122	132	130
Total NRV	**58022**	**34915**	**31395 (9%)**	**211(15%)**	**86**	**77**	**95**

*All tabulations by the author.

Table 12: Freedmen's Bureau Records: Total incidents recorded by County

County	Total	Rank	Rank Based on Estimated Index Value
1. Harris	95	1*	Nueces 1118.065
2. McLennan	95	1*	Bosque 948.338
3. Galveston	83	3	Denton 871.353
4. Smith	80	4	Trinity 573.677
5. Harrison	73	5	Kaufman 375.551
6. Travis	71	6	Dallas 314.956
7. Anderson	70	7	Galveston 313.239
8. Titus	61	8	Grayson 301.629
9. Grimes	60	9	Hunt 255.780
10. Trinity	57	10	Hill 248.654
11. Bastrop	55	11*	McLennan 247.374
12. Dallas	55	11*	Titus 237.334
13. Grayson	55	11*	Jasper 221.507
14. Washington	54	14	Shelby 201.159
15. Brazos	53	15	DeWitt 196.155
16. Robertson	44	16	Bowie 193.9145
17. Bowie	43	17	Harris 186.496
18. Bosque	42	18	Travis 176.208
19. Walker	40	19	Anderson 174.760
20. Guadalupe	38	20	Guadalupe 172.118
21. Denton	36	21*	Hopkins 159.384
22. Fayette	36	21*	Brazos 151.118
23. Freestone	36	21*	Lavaca 146.620
24. Jasper	36	21*	Leon 134.119
25. Wharton	36	21*	Caldwell 133.536
26. Falls	34	26*	Liberty 133.123
27. Lavaca	34	26*	Wharton 133.090
28. Leon	34	26*	Tyler 129.491
29. Red River	34	26*	Smith 128.551
30. Fort Bend	33	30	Bastrop 127.446
31. Burleson	32	31*	Burleson 122.557
32. DeWitt	32	31*	Robertson 117.667
33. Shelby	32	31*	Freestone 111.230
34. Nueces	32	31*	Navarro 98.276
35. Caldwell	29	35	Red River 93.038
36. Colorado	27	36*	Falls 91.438
37. Kaufman	27	36*	Milam 89.020
38. Gonzales	26	38*	Harrison 86.962
39. Houston	26	38*	Houston 81.521
40. Panola	26	40*	Nacogdoches 80.005
41. Lamar	24	41*	Colorado 78.046
42. Polk	24	41*	Walker 78.470
43. Hunt	23	43*	Gonzales 77.721
44. Nacogdoches	23	43*	Panola 77.388
45. Rusk	23	43*	Montgomery 72.481
46. Austin	22	46*	Fayette 71.001
47. Hopkins	22	46*	Fort Bend 67.706
48. Liberty	22	46*	Grimes 65.245
49. Milam	22	46*	Lamar 63.288
50. Montgomery	22	46*	Polk 59.497
51. Brazoria	21	51	Washington 51.241
52. Navarro	20	52	Brazoria 39.879
53. Hill	18	53	Austin 39.448
54. Tyler	17	54	Rusk 33.295

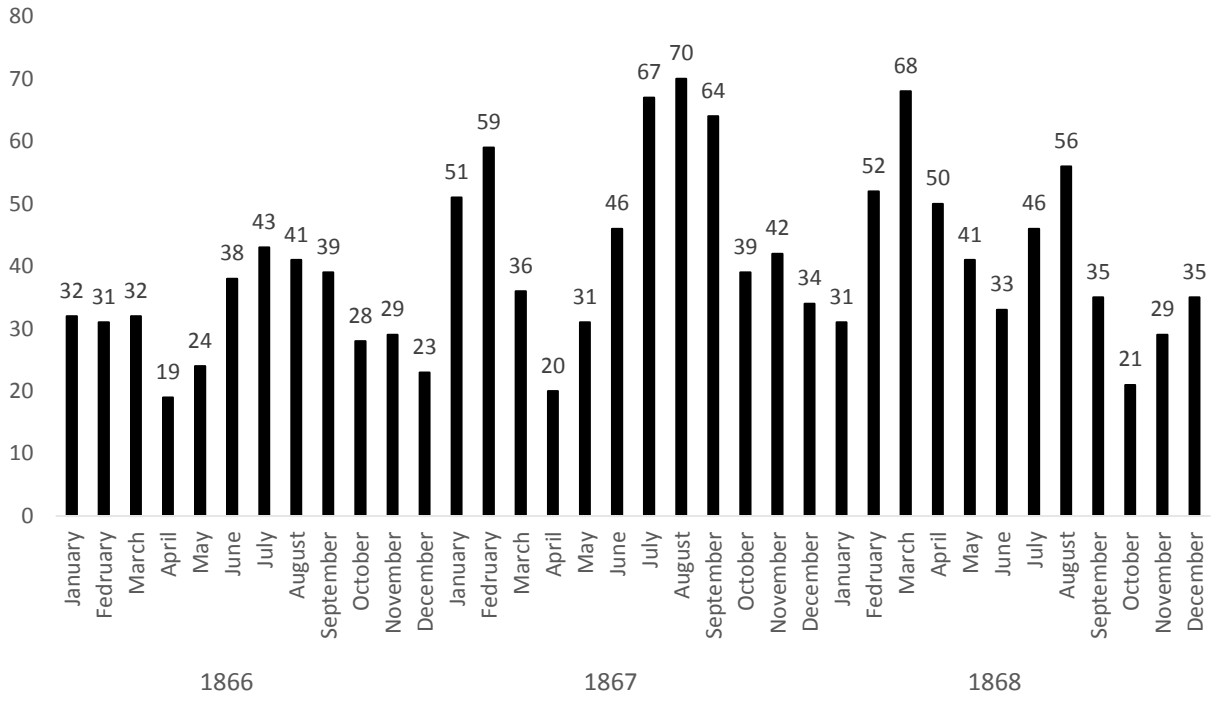
*The Estimated Index Value was arrived at by dividing a county's percent of the total violence with the percent of the estimated total black population (235,748) each county possessed. The estimated black population was arrived at by taking two thirds of the difference between the black population totals from the 1860 and 1870 Federal Census and adding that value to the black population totals for the 1860 Federal Census.
*Numbers for incidences of violence obtained from the "Records of the Assistant Commissioner for the State of Texas." All tabulations by the author.

Table 13: Monthly Incidents of Violence Totals, 1866-1868

Month	1866	1867	1868
January	32	51	31
February	31	59	52
March	32	36	68
April	19	20	50
May	24	31	41
June	38	46	33
July	43	67	46
August	41	70	56
September	39	64	35
October	28	39	21
November	29	42	29
December	23	34	35
Total	**379**	**559**	**497**

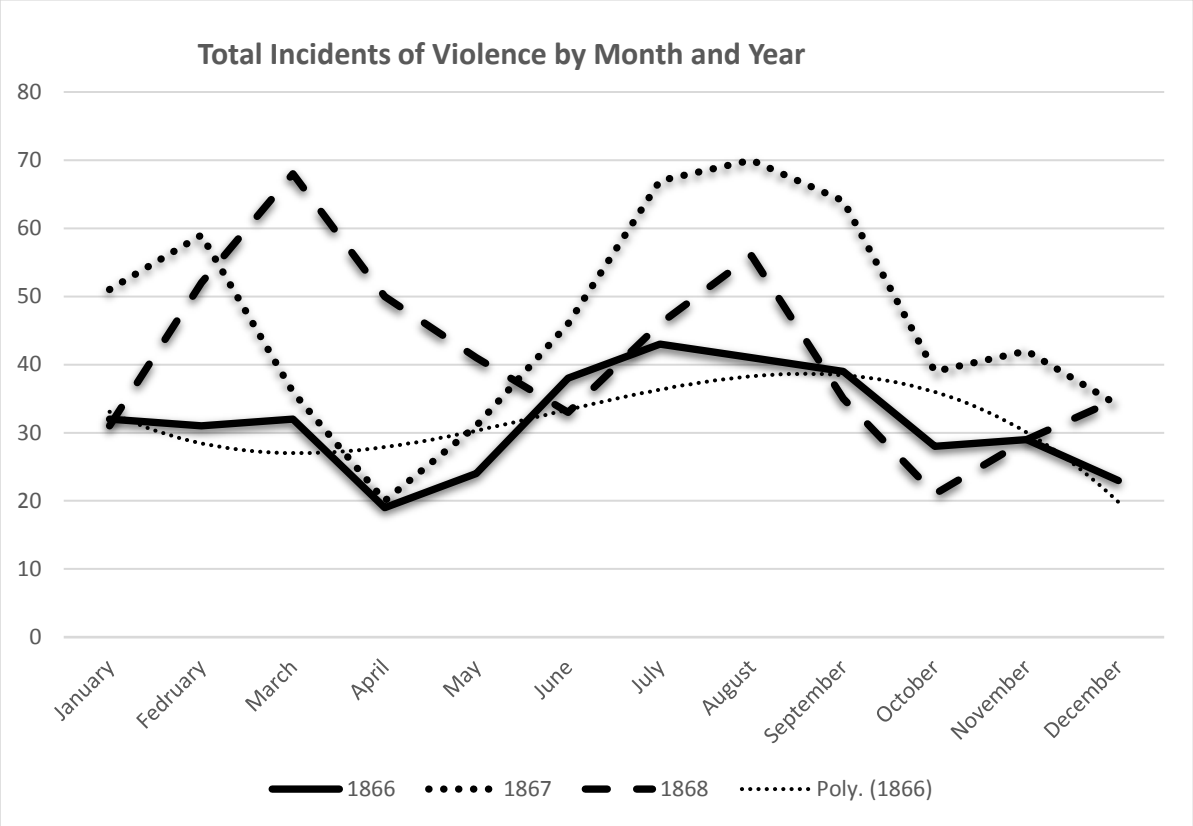
"Records of the Assistant Commissioner for the State of Texas."
All tabulations by the author.

Table 14: Monthly Violence Totals Bar Graph, 1866-1868



"Records of the Assistant Commissioner for the State of Texas."
*All tabulations by the author.

Table 15: Yearly Overlay with Polynomial Trendline, 1865-1868



"Records of the Assistant Commissioner for the State of Texas."
*All tabulations by the author.