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BLACK-WHITE RELATIONS IN TEXAS, 1874-1896

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This thesis proposes to investigate the theory posed by Comer Vann Woodward in The Strange Career of Jim Crow. Woodward claims that complete physical segregation of Negroes was not legally established in southern states until the turn of the century. He further contends the period from Reconstruction until the 1890's was an era when Negroes participated in many activities with whites. This work investigates Woodward's theory in its applicability to Texas between 1874 and 1896. This study begins with redemption, which came to Texas in 1874 with the election of the first Democratic governor since the Civil War. The concluding year of 1896 was chosen because the last Negro to serve in the Texas legislature ended his term that year.

An effort was made to view materials of various sorts. Public documents, such as the journals of the Senate and House of Texas and the Laws of Texas, proved essential to an understanding of the Negro's position. Church records and newspapers gave a valuable insight into Texans' lack of concern for the black and helped reveal his place in the

state's religious life. In establishing the facts and opinions of the period, secular newspapers were key materials. The author relied largely on newspapers from Houston, Galveston, Austin, and Dallas. Numerous secondary sources are available concerning the Negro in other states, but research on Texas blacks has been sadly neglected. Roscoe C. Martin's The People's Party in Texas, A Study in Third Party Politics dealt in some depth with the blacks, but no comprehensive study of the Texas blacks during this period exists.

Organized topically, this study examines the Negro's role in politics, religion, education, and race relations. To understand these roles, one must examine the status of Texas Negroes during Reconstruction. After Reconstruction, in spite of efforts to stifle him, the black man remained active to some extent in politics until after the election of 1896. Protestant denominations professed interest in the black man but did little to further his position. The first schools attended by blacks after the war were established by the Freedmen's Bureau, and these were segregated.

The black man in Texas was cognizant of his position as a second class citizen soon after the end of the Civil War. He was segregated in the first schools established for him and remained separated from whites during radical

reconstruction, redemption, and the remainder of the century. The Negro, refusing to accept an inferior status, left white churches by 1870. Only the voting Negro proved difficult to eliminate. In state and county politics, the white man searched for methods to control and eliminate the black man's vote. Texans were adamant in their efforts but were not completely successful until after the election of 1896. The determination of the Negro's role in Texas life took a definite form during reconstruction, not during the Gilded Age.

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## CHAPTER I

### STATUS OF THE NEGRO IN TEXAS, 1865-1874

In 1970, the movement for Negro rights appears to be slowly reaching fruition. Texans look at this period as a new age when the Negro for the first time since Reconstruction is not segregated. In The Strange Career of Jim Crow, however, Comer Vann Woodward claims that the period from Reconstruction until the 1890's was an era when Negroes participated in many activities with whites. Admitting that there was exploitation and conflict, he contends physical, legalized segregation did not occur until the turn of the century. Woodward defines segregation as meaning a physical not a social distance between the black and white man.<sup>1</sup> The present thesis proposes to investigate Woodward's theory in its applicability to Texas between 1874 and 1896. In 1874, redemption came to Texas when the Democrats elected their first governor after the Civil War. The concluding year of 1896 was chosen because the last Negro to serve in the Texas legislature ended his term that year. A brief examination

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<sup>1</sup>Comer Vann Woodward, The Strange Career of Jim Crow, 2d rev. ed. (New York, 1966), pp. vii, 43-44.

of the status of Negroes in Texas during the periods of the presidential and congressional reconstruction is important to the understanding of the subject.

The end of the Civil War signaled the beginning of a completely different life for the people of Texas. For almost two hundred and fifty years Negroes had been slaves in the southern United States; now they were to be free. The Negro, unaccustomed to freedom, only partly understood its implications and naturally he had difficulty adjusting to his new status. The white man also found the position of the newly freed slave difficult to comprehend. Many planters undoubtedly agreed with the Houston Telegraph, which stated that although the Negroes were freed in order to preserve the union, the Negro's new position would not weaken the agricultural system since he would be forced to work under police regulations.<sup>2</sup> Planters in Texas were few compared to the remainder of the white population, frequently referred to as the poor whites. These people

. . . were absolutely at sea. The Negro was to become apparently their fellow laborer. But were the whites to be bound to the black laborer by economic condition and destiny, or rather to the white planter by community of blood: Almost unanimously, following the reaction of such leaders as Andrew Johnson . . . , the poor

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<sup>2</sup>Houston Telegraph, May 5, 1865.

white clung frantically to the planter and his ideals; and although ignorant and impoverished, maimed and discouraged, victims of a war fought largely by the poor white for the benefit of the rich planter, they sought redress by demanding unity of white against black, and not unity of poor against rich, or of worker against exploiter.<sup>3</sup>

The Negro, the planter, and the poor white knew that life in Texas would be changed, although each person must have had a different idea of what the change would be.

The uncertainty of the legal status of the Negro came to an end when on June 19, 1865, General Gordon Granger arrived at Galveston by sea, with a force of approximately 1800 men. He issued orders freeing all slaves.<sup>4</sup> Thaddeus Stevens, United States Congressman from Pennsylvania, expressed the plight of the new freedman when he said:

We have turned . . . loose four million slaves without a hut to shelter them or a cent in their pocket. The diabolical laws of slavery have prevented them from acquiring an education, understanding the commonest laws of contract, or of managing the ordinary business of life. This Congress is bound to look after them until they can take care of themselves.<sup>5</sup>

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<sup>3</sup>William Edward Burghardt DuBois, Black Reconstruction (New York, 1935), p. 130.

<sup>4</sup>Ernest Wallace, Texas In Turmoil (Austin, 1965), p. 147.

<sup>5</sup>Congressional Globe, 39th Congress, 1st Session, IV (Washington, 1865), 74.



To care for the needs of the Negro, Congress established the Freedmen's Bureau which oftentimes served the needs of the white man too. General E. M. Gregory headed the bureau in Texas. Ordering the Emancipation Proclamation read to all freedmen, he also required employers to make written labor contracts with the Negro worker. The hostile attitude of most of the Texas press toward the bureau was displayed by the Dallas Herald when it declared the bureau an offence and an irritation to the people of Texas.<sup>6</sup>

Not only were the efforts of the Freedmen's Bureau officials resented, but whites concerned about the welfare of the Negroes were sometimes called "nigger lovers."<sup>7</sup> One person, who might have been characterized in such a manner, was Mrs. L. E. Potts, a resident of Lamar County and a Unionist. Showing her concern for the freedman in a letter to President Andrew Johnson, she claimed that it was not considered a crime to kill Negroes in Texas. Imploring the President to send protection for "these suffering freedmen," she noted that they were frequently pursued by

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<sup>6</sup>Dallas Herald, November 4, 1865.

<sup>7</sup>Samuel Eliot Morison, The Oxford History of the American People (New York, 1965), p. 713.

bloodhounds and shot for not obeying the white man.<sup>8</sup>

Another Texan, John H. Reagan, who had been Postmaster-General of the Confederacy and not necessarily a friend of the Negro, saw the folly of the white man's actions. While a prisoner at Fort Warren in 1865, he wrote a letter to the people of Texas telling them they must recognize the abolition of slavery as well as the rights of freedmen to the privileges and protection of the laws. Negroes, he wrote, should be able to testify in court and vote under the same qualifications as a white man. Stating that these were the freedmen's "reasonable and necessary rights," he argued that this policy would "prevent them from becoming an element of political agitation, and strife and danger."<sup>9</sup>

Most Texans did not heed his advice.

During 1865 and 1866 several officials made inspection tours to check on conditions of the Negroes in Texas. Most of the reports were pessimistic, but some were encouraging. In November after he had made a twenty-one-day whirlwind trip through Texas, General Gregory reported to Major General Oliver O. Howard, the Chief Commissioner of the Freedman's

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<sup>8</sup>House Executive Documents, 39th Congress, 2d Session, No. 61 (Washington, 1867), p. 2.

<sup>9</sup>John H. Reagan, Memoirs (New York, 1906), pp. 288-295.

Bureau, that mistreatment of the Negro was almost too frequent to record. There were "downright murders, savage beatings, merciless whippings, hunting men with trained bloodhounds, through all the lesser degrees of cruelty and crimes."<sup>10</sup>

S. J. W. Mintzer, surgeon and agent of the bureau, reported on the living conditions of the Negroes in the nine Texas counties he inspected. He noted that the freedmen lived in log houses that were frequently windowless and often floorless. Each week the planters furnished only about three to four pounds of pork and cornmeal to a Negro for rations, although he observed that Negroes who had contracted to work for low wages usually were faithful to their obligation. That the "ignorant freedman" had shown "more principle than the selfish white man," surprised him.<sup>11</sup> William E. Strong, an Inspector General for the Freedmen's Bureau, visited the area between the Trinity and Neches rivers in 1866. Appearing before a congressional sub-committee studying conditions in Texas, he reported on February 3, 1866, that two-thirds of the freedmen had never received any money at all for

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<sup>10</sup>E. M. Gregory to Oliver O. Howard, January 31, 1866, House Executive Documents, 39th Congress, 2d Session, No. 70 (Washington, 1866), pp. 305-306.

<sup>11</sup>S. J. W. Mintzer to E. M. Gregory, January 31, 1866, ibid., pp. 307-308.

wages after becoming free. Some Negroes, he insisted, did not know they were free.<sup>12</sup> These reports clearly indicated that there was a firm resolve by many white men in Texas to keep the Negro subservient.

For the Texas Negro, conditions continued to worsen in some ways. Texas planters, in their second crop season since the freeing of the slaves, found the labor situation becoming critical. Repeated requests for aid from the legislature to deal with the situation brought forth laws governing labor contracts, vagrancy, and apprenticeship. According to W. E. Burghardt DuBois these laws were

. . . deliberately designed to take advantage of every misfortune of the Negro. Negroes were liable to a slave trade under the guise of vagrancy and apprenticeship laws; to make the best labor contracts. Negroes must leave the old plantations and seek better terms; but if caught wandering in search of work, and thus unemployed and without a home, this was vagrancy, and the victim could be whipped. . . .<sup>13</sup>

In Texas the first of these Black Codes was the general apprenticeship law, which provided that any unmarried minor could be bound out, with the judge's consent, until he had reached the age of twenty-one. The Negro was to be taught a trade, but his master could inflict corporal chastisement

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<sup>12</sup>Reports of the Committees of the House of Representatives, 39th Congress, 2d Session, No. 30, Part IV (Washington, 1866), pp. 35-39.

<sup>13</sup>DuBois, Black Reconstruction, p. 167.

if it was necessary. If an apprentice left the employment of his master, he was jailed and if found guilty fined up to the amount of ten dollars. The Negro, with no way to obtain ten dollars, was put out to work for one dollar a day until his fine was satisfied.<sup>14</sup>

Most stringent of the Black Codes was the contract labor law. Provisions of this law often placed the Negro in a condition similar to slavery, making it difficult to tell which condition was the worse. Contracts were signed with the heads of families but embraced all members of the family, including minors. A laborer could not leave home without permission; if he became ill, his wages were deducted, and if his illness was feigned then double the amount of the wages was deducted. Naturally, the employer judged whether his illness was genuine. If a laborer refused to work for three days, he was put to work on "public works, without pay until the offender consented to return to his labor."<sup>15</sup> Various other provisions in the contracts equally restricted the laborer's freedom.

Unfavorable reports on the treatment of the Negro continued to appear during the administration of Governor

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<sup>14</sup>Hans Peter N. Gammel, editor and compiler, Laws of Texas, V (Austin, 1898), 980-981, 1021-1022.

<sup>15</sup>Ibid., 994-997.

James Throckmorton.<sup>16</sup> Major General H. G. Wright, military commander in Texas, reported that he received frequent complaints from residents in the northeastern part of the state about the barbarities against the Negroes, but troops were not available to send to this area.<sup>17</sup> General Philip H. Sheridan, Commander of the Military Division of the Southwest, also reported that civil affairs in Texas were unsatisfactory. Believing that justice was not being done to the Negro, he thought that "the trial of a white man for the murder of a freedman in Texas would be a farce . . . ."<sup>18</sup> In December of 1866, the Freedmen's Bureau received a letter from the citizens of Prairie Lea in Caldwell County claiming that a "reign of terror" existed against the freedmen. Negroes had not received the share of crops due them and were not treated properly, the correspondents pointed out. W. C. Philip, a resident of Prairie Lea, wrote to Governor Throckmorton about events in the area. He had observed such

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<sup>16</sup>Claude Elliott, Leathercoat, the Life History of a Texas Patriot (San Antonio, 1938), p. 167.

<sup>17</sup>H. G. Wright to George Lem, July 21, 1866, House Executive Documents, 39th Congress, 2d Session, No. 64 (Washington, 1866), p. 4.

<sup>18</sup>Philip H. Sheridan to John Rawlins, November 14, 1866, The War of the Rebellion, Records of the Union and Confederate Armies, XLVIII, Series I, Part I (Washington, 1880-1901), 301.

things as Negroes run down by horsemen or run out of town. One freedman he saw whipped because the Negro had addressed a white man he had known all of his life as "Tom" instead of "Mas Tom." Still another freeman, Nelson Smith, was shot because he would not give his bottle of whiskey to two "rebels."<sup>19</sup>

Major General Oliver O. Howard reported that in three cases where freedmen were murdered, the accused were acquitted by the Texas courts. However, General Charles Griffin, new military commander in Texas under Sheridan after the first Reconstruction Act was passed, had the white murderers arrested again and sentenced them to the heaviest fines they were able to pay. This money then was given to the families of the murdered man. In two other cases, white men were given suspended sentences for killing Negroes. General Griffin felt that "in most of the States severer punishments were imposed in cases of theft and assault than the State of Texas was willing to inflict upon the most atrocious and cold-blooded murderers."<sup>20</sup>

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<sup>19</sup>Elliott, Leathercoat, p. 157.

<sup>20</sup>Oliver O. Howard to Ulysses S. Grant, Secretary of War, November 1, 1867, United States War Department, Annual Report, X (Washington, 1867), 684.

Not all of the reports about the freedmen were as dismal as these. Major General Howard reported that in general freedmen worked well, and the treatment of laborers by their employers seemed better than previously. This was "due, perhaps, to some extent to the scarcity of laborers, and to the fact that among the best classes of people the estrangement consequent upon the emancipation of slaves is being supplanted by a kindlier feeling." He noted also that the prejudice against the schools established for the freedmen seemed to have subsided somewhat, with many planters offering school buildings and others donated land.<sup>21</sup>

While there seemed to be a gentler attitude of a few Texans toward the freedman, the majority of the legislature and many other Texans still opposed granting suffrage to the Negro. Governor Throckmorton made no recommendation for the passing of the Thirteenth Amendment but heartily recommended that the Fourteenth Amendment should be rejected. Those who had hoped for political rights for the Negroes could not forget that Throckmorton had approved the contract labor law, which was similar to the slave code. He had also approved a school fund law which excluded freedmen from any benefits.<sup>22</sup>

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<sup>21</sup>Ibid., 685.

<sup>22</sup>Elliott, Leathercoat, pp. 160, 166-167.



Throckmorton's relationship with the army had never been good, but his problems really began with passage of the first Reconstruction Act of March, 1867. This act, which declared that no legal state government existed in the southern states, placed Texas and Louisiana in the Fifth Military District, under command of Major General Philip Sheridan. In July passage of the second Reconstruction Act gave the military commander authority to remove state officials; hence, on July 30, 1867, Sheridan ordered Throckmorton removed from office. The appointment, by Sheridan, of Elisha M. Pease as the new governor to replace Throckmorton brought an end to Presidential Reconstruction and another new beginning for the Negro.<sup>23</sup>

The supplementary Reconstruction Act passed on March 23, 1867, authorized the heads of each military district to register all qualified citizens. General Winfield S. Hancock, appointed Commander of the Fifth Military District in November, 1867, gave Texans the opportunity to decide if a new constitution seemed desirable. Hancock designated February 10-14, 1868, as the time for the election.<sup>24</sup> This would be the first election in which the Texas Negro could vote.

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<sup>23</sup>Dallas Herald, August 8, 1867.

<sup>24</sup>Congressional Globe, 39th Congress, 2d Session (Washington, 1867), p. 1037.

In preparation for the election both Republicans and Conservatives held state conventions. The Republicans, meeting in Houston in January, had seven times as many Negroes in attendance as whites. Electing E. M. Pease president, the convention chose George T. Ruby, a Negro from Galveston, as one of the vice-presidents. The Republican's platform stated that distinctions between white and black citizens must not exist. Meeting in a Houston convention in January, the Conservatives emphasized that "Africanization of Texas" must be prevented and white supremacy preserved. This group did not declare themselves for the Democratic Party as they hoped to lure those Republicans opposed to Negro voters to the Conservative ticket.<sup>25</sup>

In this election Texas voters favored a constitutional convention. There were 49,480 Negroes registered and 37,750 voted in favor of the convention. Perhaps the Republicans gave the Negroes voting instructions since blacks cast two-thirds of the votes, yet elected only nine Negro delegates.<sup>26</sup> Conservative papers in the state deplored

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<sup>25</sup>Ernest William Winkler, editor, Platforms of Political Parties in Texas, Bulletin No.53 (Austin, 1916), pp. 99-100, 104, 106.

<sup>26</sup>John Mason Brewer, Negro Legislators of Texas and Their Descendants: A History of the Negro in Texas Politics from Reconstruction to Disfranchisement (Dallas, 1935), p. 15.

the fact that the convention contained Negro delegates as well as Union men. For example, the Dallas Herald commented:

Ere long a constitution guaranteeing negro suffrage, negro equality, negro supremacy over the caucasian race of Texas will be unblushingly presented for ratification to the people of the State; a document framed by Yankee adventurers, non-residents, and Southern Benedict Arnolds, who pursue us in our sorrow and chains with a malevolence that would kick the clod from the coffin and spit upon the grave.<sup>27</sup>

This same newspaper, a week later, complained that the Negroes at the convention were "not at all backward, not even modest, Ruby making himself quite conspicuous."<sup>28</sup>

After the constitutional convention assembled at Austin on June 1, 1868, in July, the Democrats held their first state convention after the war. Suffrage and the supremacy of the Negro were two of their main concerns. Meeting in Bryan, they conceded that the Negro was free but contended that the right to grant Negro suffrage was the exclusive authority of the state.<sup>29</sup> The Houston Weekly Telegraph agreed with the Democrats and further contended that military rule in Texas was preferable to Negro suffrage.<sup>30</sup> A few

<sup>27</sup>Dallas Herald, June 6, 1868.

<sup>28</sup>Ibid., June 13, 1868.

<sup>29</sup>The American Annual Cyclopedia and Register of Important Events, VIII (New York, 1868), 731.

<sup>30</sup>Houston Weekly Telegraph, December 3, 1868.

months later this same paper was still opposed to Negro suffrage, but evidently reconciled to the fact that blacks were going to vote, because the paper advised Democrats to appeal to the Negro vote. The Weekly Telegraph further declared that to leave Negro vote entirely within the Radical party constituted a danger for the people of Texas.<sup>31</sup>

In the constitutional convention, James R. Burnett was appointed Chairman of the Committee on Conditions of the State. He received reports from many people concerning treatment of the Negro. One of these, from Provisional Governor Pease, claimed that there was "wide-spread prejudice" against letting Negroes vote and that many still hoped that Negro suffrage could be prevented. He added further that sheriffs did not have enough assistance to arrest those charged with murder of the Negro.<sup>32</sup>

Burnett presented to the convention the majority report on conditions in the state, which concluded that a fair election could not be held at that time for governor, since so much antagonism existed toward the colored man within the white population. Violence and terror toward the Negroes

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<sup>31</sup>Ibid., April 15, 1869.

<sup>32</sup>Elisha M. Pease to James R. Burnett, December 23, 1868, Journal of the Reconstruction Convention of the State of Texas, 2d Session (Austin, 1868), pp. 113-114.

confirmed this attitude.<sup>33</sup> The Ku Klux Klan, especially active in the area east of the Trinity River, murdered so many Negroes that it was "impossible to keep an accurate account of them," according to J. J. Reynolds, military commander in Texas after Griffin died of yellow fever in 1870.<sup>34</sup> James P. Newcomb, a member of Burnett's committee, presented a minority report to the President of the Convention. While this report agreed that conditions for Negroes in the state were bad, Newcomb argued that in the area west and south of the Colorado River conditions were better. In that region he claimed feelings toward the Negro were kind.<sup>35</sup>

Although crime against the Negro was prevalent in the state, delegates to the convention did put into the proposed constitution benefits for the black as well as the white man. Carrying out the provisions of the Reconstruction Acts, the constitution guaranteed the vote to all male citizens twenty-one years old of sound mind who had not been convicted of a felony.

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<sup>33</sup>James R. Burnett to Edmund J. Davis, December 23, 1868, ibid., pp. 108-109.

<sup>34</sup>J. J. Reynolds to Adjutant General United States Army, November 4, 1868, ibid., p. 111.

<sup>35</sup>James P. Newcomb to Edmund J. Davis, December 24, 1868, ibid., p. 126.

Also all children between the ages of six and eighteen years could attend free public schools and segregated schools were not mentioned.<sup>36</sup> George Ruby, of Galveston, was most active in the convention in attempting to protect Negro rights. He introduced a resolution that was adopted calling for a prison sentence and a fine for anyone convicted of intimidating a voter. Furthermore, hiring of laborers contingent upon their voting for a specific person or party was considered bribery in this bill.<sup>37</sup> Although no mention was made of color, these acts certainly were for the protection of the new Negro citizen.

Regardless of the benefits provided by the constitution, the Radical Republicans, including Negroes, were against the document because they claimed the majority of the convention had "deliberately removed from the document every safeguard for the protection of the loyal voter, white and black."<sup>38</sup> The constitution contained little to substantiate such a charge, so perhaps their objections were due to their

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<sup>36</sup>Constitution of the State of Texas, 1869 (Austin, 1871), pp. 29, 31.

<sup>37</sup>Journal of the Reconstruction Convention, 2d Session (Austin, 1868), pp. 510-511.

<sup>38</sup>Ibid., p. 518.

failure to have some of their measures passed--the dividing of Texas into several states, for example. When the convention adjourned on February 6, 1869, the Radicals sent ten men to Washington to ask Congress to postpone the referendum on the adoption of the constitution. Of these, two were Negroes, Ruby and C. W. Bryant, from Harris County.<sup>39</sup> For the first time Negroes had been sent from Texas to Washington as representatives of a political party.

General J. J. Reynolds, the new military commander of Texas, set November 30 to December 3, 1869, as the dates for the election of state officials and the adoption of the constitution.<sup>40</sup> The Negro vote was extremely important to the Radical Republicans in this election. Ruby headed the Republican Loyal Union League, an organization primarily composed of Negroes. Each member of this group was taxed twenty-five cents to fund the campaign of the Radical candidate for governor, Edmund J. Davis. The Conservatives' candidate for governor, A. J. Hamilton, received the support

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<sup>39</sup>Austin Daily Republican, March 16, 1869.

<sup>40</sup>The American Annual Cyclopedic and Register of Important Events, IX, 677.

of those Democrats who voted since the Executive Committee of the Democratic Party did not make a nomination.<sup>41</sup>

Both sides in this election attempted to obtain the Negro's votes. In a speech Davis said:

Let me say to the colored men of Texas that I was among the first of the white men in the State to demand their suffrage, and that too, when there was not, so far as I know, one dozen of my own race who stood by me, when I was denounced for doing so. My position then was, and still is, that in a republican government the citizen is entitled to the ballot. You had been made citizens, and hence I demanded the ballot for you.<sup>42</sup>

The Conservatives attempted to expose Davis as a false friend of the Negro as he had voted for the Constitution of 1866, which prohibited Negro suffrage. The conservative Austin Daily Republican wrote:

Who voted for the ordinance denying the freedmen the right to testify in court? To sit as jurors? E. J. Davis. Who was this political friend? Who secured for him equality before the law? General A. J. Hamilton. Freedmen, remember these things and vote for the man who has always been your best friend.<sup>43</sup>

Although colored Democratic clubs were formed to entice the Negro into their group, these efforts were not successful. Most of the Negroes were not interested in aligning themselves

<sup>41</sup>Winkler, Platforms of Political Parties in Texas, pp. 117, 120, 122.

<sup>42</sup>Dallas Herald, July 31, 1869.

<sup>43</sup>Austin Daily Republican, November 6, 1869.



with a party opposed to civil rights for the Negro. The Democrats changed their position only after realizing that the black man's vote would be the decisive factor in the election.<sup>44</sup> Evidence indicated that Davis, who won the election by 809 votes, could not have been elected without the support of the Negroes, because Democrats had fused with the Conservative Republicans to support Hamilton.<sup>45</sup>

On February 8, 1870, the provisional twelfth legislature convened for two weeks, to which eleven Negroes had been elected. Ruby and Matthew Gaines, a Negro from Washington County, were elected to the House. Both were placed on several committees such as the Militia Committee and the Privileges and Elections Committee. It was a unique experience for Negroes to serve in the Texas legislature. Much was accomplished in this brief time that benefited the Negro, especially ratification of the Fourteenth and Fifteenth amendments to the Federal Constitution. Negroes, however,

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<sup>44</sup>Charles W. Ramsdell, Reconstruction in Texas (New York, 1910), pp. 233-234.

<sup>45</sup>Seth Shepard McKay, Making the Texas Constitution of 1876 (Columbus, Ohio, 1924), p. 21; Romey Fennell, Jr., "The Negro in Texas Politics 1865-1874," unpublished master's thesis, Department of History, North Texas State University, Denton, Texas, 1963, p. 72.

were not considered when United States Senators were chosen, although the Radicals controlled the legislature and could have appointed a Negro Senator. Instead the legislature chose two white men, J. W. Flanagan, the newly elected lieutenant governor from Rusk county, and Morgan Hamilton, the brother of A. J. Hamilton, whom Davis had defeated for governor. Ruby, among the Negroes, would have been an excellent choice since he was the only Negro legislator who had never been a slave and, therefore, had the advantage of an education.<sup>46</sup>

As a result of the provisional legislature's actions, Texas was re-admitted to the union on March 30, 1870, and General Reynolds surrendered civil control to the newly elected governor and legislature on April 16.<sup>47</sup> Reconstruction was officially over, although it would not be completed until Democrats once again controlled the legislature and elected a governor.

Newspapers of this period did not fail to report the treatment accorded Negroes by the Radicals. Especially noted was the fact that none of the Negro legislators were

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<sup>46</sup>Journal of the Senate of Texas, Provisional Session (Austin, 1870), pp. 29-42; Brewer, Negro Legislators of Texas, p. 115.

<sup>47</sup>Wallace, Texas in Turmoil, p. 210.

invited to a ball given honoring the newly elected members of the legislature.<sup>48</sup> Another paper pointed to the treatment of the Negro by the Radicals:

Your votes composed nine-tenths and more of the votes which put them in office and power and yet you have not received one-fiftieth of the offices which your vote gave them the power to appoint. Your recommendations have had so little weight that we are reliably informed that in one instance where a large number of you recommended one of your own color for an office, a prominent Radical declared you to be a set of fools.<sup>49</sup>

Where the Radicals seemed to be using the Negro for their own purpose, the Democrats intimidated the Negro at the polls. After the November 1870 special election to fill vacancies, the legislature appointed a committee to investigate election irregularities in Cherokee County. The report concluded that there had been irregularities because Negroes had been told they would be evicted from their homes if they voted Republican, while some were even told that they would be sent to the penitentiary if they voted at all. Still others were slandered and threatened at the polls. These incidents were difficult for investigators to confirm since Negroes hesitated to discuss these happenings fearing reprisal from those who had threatened them.<sup>50</sup>

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<sup>48</sup>Galveston Flake's Bulletin, January 5, 1870.

<sup>49</sup>Houston Daily Telegraph, August 24, 1870.

<sup>50</sup>Journal of the House of Texas, Twelfth Legislature, 2d Session (Austin, 1871), pp. 654-656, 666-667.

The Democratic Party became very active during 1871, holding two conventions in Austin that year. Establishing the Austin Tri-Weekly Statesman for the purpose of uniting Texans against the Radicals, the party seemed especially interested in driving a wedge between the Radical blacks and whites.<sup>51</sup> One editorial said:

. . . the uneducated negro is no longer deceived, at least some of them declare that they 'have at last found out the badness of the Radical officeholders,' as one of them expressed himself the other day in our hearing.<sup>52</sup>

Two weeks later another editorial aimed at the Radicals charged: "Poor ignorant dupes! Without doubt the colored people of Texas will soon learn that the promises of Radicals are great, but their performances little."<sup>53</sup> The paper only pointed out things that the Negroes were already aware of.

In a speech Negro Senator Gaines criticized the Radicals who had not appointed a Negro as United States Senator, lieutenant governor, or to any office that carried honor. He asked that Richard Nelson, a Negro, be the Republican Congressional candidate and further accused the Republicans of "trying to make a white man's party at the expense of

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<sup>51</sup>Austin Tri-Weekly Statesman, July 26, 1871.

<sup>52</sup>Ibid., August 1, 1871.

<sup>53</sup>Ibid., August 15, 1871.

the Negro."<sup>54</sup> In a devastating reply to Gaines' speech, the Brenham Enquirer, a Radical Republican paper, charged that Gaines had been bought by the Democrats, and that he was trying to drive all white men from the Republican party. This paper added that he should be expelled from the Senate and put in prison for bigamy. Further they instructed the Republicans to "hunt down and oust every dishonest scoundrel who disgraces the Republican party . . . ." <sup>55</sup> Apparently Radicals could not take criticism from a Negro without accusing him of immorality. The Negro had come to realize that he had not been given the offices that he deserved in return for his support of the Radicals in the election of 1869. As the Negro became more conscious of his power with the ballot, he became less content with the role that the Radicals had cast for him. In 1872 the Amnesty Act, which granted franchise to ex-Confederates, had passed, so in Texas the Republican party and the Negro were in trouble. As the Democrats gained strength and the Radicals continued to refuse greater recognition to the Negro, the black man was gradually abandoned by all political groups.

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<sup>54</sup> Brewer, Negro Legislators of Texas, p. 51.

<sup>55</sup> Brenham Enquirer, cited in Galveston Flake's Semi-Weekly Bulletin, September 8, 1871.

In the fall election of 1872, the Democrats won all six of the Congressional seats in Congress and gained control of the state legislature.<sup>56</sup> Although Governor Davis still had one more year in office, he was politically impotent due to the hostile legislature. The Democrats began to undo all the acts of the preceding Twelfth Legislature. In spite of the re-election of Ruby and Gaines to the Senate, there was a loss of one-third of the Negro representatives in the House, reducing the number to six. With one exception, in 1878, the number of Negroes in the legislature gradually decreased.<sup>57</sup> The Democrats needed only to win the governor's seat to completely redeem the state from the carpetbaggers and Negroes.

The election year of 1873 was significant for the people of Texas. This was the year a new governor was to be elected; it was also the first gubernatorial race in which the ex-Confederates could vote. Another important event occurred when the Negroes of the state held a convention in Brenham. Since most Republicans were Negroes, the blacks no longer acquiesced to each order from the Radicals, instead they began to dictate terms to the party.

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<sup>56</sup>Wallace, Texas in Turmoil, p. 216.

<sup>57</sup>Brewer, Negro Legislators of Texas, p. 61.

One paper aptly expressed the Negroes' changing attitude:

There is a delusion prevailing among a certain class of politicians, that the colored voters are an easy set to fool. This is a great mistake. They take the measure of men who want their votes, as it were, . . . and they cannot be intimidated or cajoled. They know exactly who the men are who have 'gone back' on them, . . . .<sup>58</sup>

At the Brenham convention Negroes themselves showed a new awareness of the white man in the state. They clearly and unhesitatingly declared that every concession to the Negro had been forced from the white man, who had expressed nothing but hatred for black men. "Had even a part we now enjoy been voluntarily conceded, the mass of the colored people would have patiently waited . . . . With stolid obstinacy they [the white men] have clung to their prejudices."<sup>59</sup> The blacks called on the people of Texas to stop persecuting the Negroes, while emphasizing that they were not interested in social privileges, but in civil rights.<sup>60</sup>

Both parties ignored the Negro in their conventions in 1873. Although the Republicans needed the Negro vote badly, no mention was made of him at their convention in Dallas.

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<sup>58</sup>San Antonio Daily Express, May 29, 1873.

<sup>59</sup>Winkler, Platforms of Political Parties in Texas, p. 150.

<sup>60</sup>Ibid., pp. 149-150.

The only indirect reference to the Negro was made when it was declared that the convention opposed any law that would cause inequality because of a person's race. Davis was again the Republican nominee for governor. Meeting in Dallas in September, the Democrats drew over seven hundred delegates. No mention was made of the Negro, although Davis and the Radicals were condemned. Richard Coke, of McLennan County, was the Democratic choice for governor.<sup>61</sup> Coke received twice as many votes as Davis in the December election, so the Democrats gained control of the executive as well as the legislative branch of the Texas government. Redemption seemed complete and voices were demanding a new constitution to replace the one of 1869 at a time when the Negroes now had only one Senator and six Representatives in the House.<sup>62</sup>

The election of 1869 had been won for the Republicans by the Negroes, yet four years later the party was defeated. There were many factors that affected this change. One of these was the Ku Klux Klan. Although they were not as active in Texas as in other states, the Klan prevented Negroes

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<sup>61</sup>Ibid. pp. 156-162.

<sup>62</sup>Harrel Budd, "The Negro in Politics in Texas, 1867-98," unpublished master's thesis, Department of History, University of Texas, Austin, Texas, 1925, p. 59.



from going to the polls by intimidation and in some instances by murder. The Democratic landowner was important too. He owned the land the Negroes lived on and could either drive them from their homes or raise their rents if they voted for the Republicans. Another deterrent to Negro voting was the practice of arresting Negroes who had not paid their five-dollar poll tax, which meant that he then had to pay from seven to ten dollars in court costs. "The Democrats, after getting the money then told the Negroes, 'That's what you get for voting the Republican ticket.'"<sup>63</sup>

Another thing that weakened the Republican party, and of course the Negro's influence, was that many Radical leaders, like Morgan Hamilton, left the party and joined the Democrats. The Amnesty Act granted ex-Confederates back the vote, and they voted for the Democratic ticket. Some white men may have left the Republican party as a result of the scandals, the Credit Mobilier and Black Friday, that had involved the national party in the election of 1872. Certainly one of the reasons the Republicans lost was because Negroes became apathetic about voting when they were not given any important state or federal offices. Blacks expected to be rewarded for their loyalty to the Republican party, yet they were only

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<sup>63</sup>Brewer, Negro Legislators of Texas, pp. 62-63.

tools. The Negro realized that the Republicans could not have come to power without the black vote.

The Texas Negro was not free to do as he pleased in all aspects of life; yet he had progressed in many ways. For the first time he voted, helped make a new constitution, and served in the legislature. Blacks married, served on juries, sought employment where they pleased, and sent their children to school. They attended churches and worshipped without white supervision. Even though the Democrats controlled the state government after 1873, the Negro still retained suffrage and remained an important force in politics. During the last quarter of the nineteenth century, Negroes and whites still mingled to some extent, not only in politics but also in church work and other aspects of their daily lives.

## CHAPTER II

### THE ELIMINATION OF THE NEGRO IN POLITICS

Even after the Democrats gained control of Texas government in 1874, the Negro remained active in politics and had to be considered in the plans of all political parties for many years. The Negro continued to play a role in Texas politics to the degree that he dominated the Republican party until the end of the century. Not only did blacks vote, but they elected black men to the constitutional convention of 1875, to all but one legislature prior to 1896, and to many local offices. Norris Wright Cuney, a mulatto born and reared in Texas, was not only the leader of the Republican party for many years, but as Collector of the Port of Galveston held "the most important post ever given to a colored man in the South in grade and salary."<sup>1</sup> Other Negroes were active in campaigning for their party-- Greenback, Populist, Republican, or Democrat--all over the state during this period. Neither did the Negroes hesitate

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<sup>1</sup>Virginia Neal Hinze, "Norris Wright Cuney," unpublished master's thesis, Department of History, Rice University, Houston, Texas, 1965, p. 79.

to call another convention in 1883 as they had done in 1873 in protest against treatment accorded them by the whites. As the years passed, however, the tendency grew not only to make a second-class citizen of the black, but to remove him completely as an active political participant. By the turn of the twentieth century, the black was not far removed politically from the position he had held as a slave.

Certain forces ate away at the whole structure of Negroes' political power. White Democrats were little-by-little plotting to make the Negro impotent in politics, especially by the repeated efforts to enact a poll tax as a requirement for suffrage. Democrats formed lily-white clubs to counteract the Negro vote, gerrymandered predominantly black counties to give the whites control in the election of judges, and sometimes bribed blacks to vote with the white man. When all else failed, the white man resorted to intimidation by frightening the Negro, stealing his vote, running him out of the county, and even lynching him. The Republican party too, became a lily-white group because they objected to Negro domination of the party and blamed the lack of growth within the party to the white man's antipathy toward the Negro. By the end of the century, the inclination to draw the color line in Texas

politics, which had been present all along, was evidenced by increasing attempts to relegate the Negro to an inferior position. Among other developments, decisions of the Supreme Court during this period sanctioned the disfranchisement of the Negro.

Despite attempts to circumscribe his political privileges, the Negro was very much a part of the political scene during the 1870's. Seven Negro Republicans, one senator and six representatives, served in the fourteenth legislature, which heralded the return of the Democrats in 1874. From within that legislature as well as from throughout the state came immediate demands for a new constitution to replace the one drafted in 1869 during Republican control. The Democrats argued for a new constitution to eliminate "an accumulation of wrongs, and to reestablish . . . a just, wise and economical system of government."<sup>2</sup> In August, 1875, Texas voters chose delegates to a constitutional convention, and of the ninety persons elected, fifteen were Republicans, and, of these, six were Negroes.<sup>3</sup> Of the Negroes elected, one

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<sup>2</sup>Winkler, Platforms of Political Parties in Texas, p. 74.

<sup>3</sup>J. E. Ericson, "The Delegates to the Convention of 1875: A Reappraisal," Southwestern Historical Quarterly, LXVII (July, 1963), 22.

served only a single day, but four of the black delegates held committee positions. David Abner of Harrison County sat on the Committee of Crimes and Punishment as well as on the Bill of Rights Committee, William Reynolds from Waller County served on the Executive Department Committee, L. H. (Mac) McCabe from Fort Bend was placed on the Education Committee, while John Mitchell of Washington County served on the Public Lands and Land Office Committee.<sup>4</sup>

Several incidents demonstrated that while Negroes were put on certain committees, they were not accepted in the same manner as the white delegate to the convention. John Johnson, of Collin County, explained to the members of the convention and to the people of Texas that he sat by a Negro at the convention solely because he had drawn a seat number which placed him in such a position. Johnson was concerned because some unidentified delegate had reported to Johnson's home paper that the Collin County delegate chose to sit with Negroes.<sup>5</sup> Another example of the treatment accorded the Negro delegates involved Mac McCabe from Fort Bend County. When he met the first time with the Educational

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<sup>4</sup>Brewer, Negro Legislators of Texas, p. 69.

<sup>5</sup>Ibid., p. 70.

Committee, the chairman, an ex-Confederate soldier named General Whitfield, appointed McCabe the janitor to keep the room clean and to supply drinking water. "In a wave of laughter McCabe rose and with a good natured smile accepted the appointment and all during the session he carefully performed the tasks imposed."<sup>6</sup>

During the convention, the Democrats struck at the heart of Negroes' political strength when a majority report recommended that a poll tax be required for voting. Negro delegates apparently took no part in the debates in this attempt to disfranchise them through indirect methods. W. T. G. Weaver, of Cook County, declared himself against the tax, not because he was a friend of the Negro, since he "believed in the superiority of the Anglo-Saxon race," but he felt that if a poll tax were levied Negroes would "sell their hats, boots and shoes to pay their tax and qualify themselves for the polls and would struggle to the last."<sup>7</sup> He conjectured further "that some of them would even steal to get enough to pay their poll tax and vote."<sup>8</sup> J. F. Johnson

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<sup>6</sup>Clarence R. Wharton, History of Fort Bend County (San Antonio, 1939), p. 183.

<sup>7</sup>Seth Shepard McKay, editor, Debates in the Texas Constitutional Convention of 1875 (Austin, 1930), p. 171.

<sup>8</sup>Ibid., p. 171.

of Franklin County questioned the belief of his friends who thought the poll tax would prevent blacks from voting. Blacks, he argued, would still vote because some dishonest candidates would give the Negroes money to pay the tax. He contended that a poll tax would only prevent the poor white man from voting.<sup>9</sup> The 1876 convention did not approve a poll tax, but this was only the first of several attempts made in the next twenty-five years to restrict Negro voting by such a tax.

Another issue vital to the Negro's interest was the majority report by John H. Reagan of Anderson County. Reagan proposed to divide the state into twenty-six judicial districts with each district choosing as a judge an attorney with not less than four years' legal experience. The majority accepted the report, but many delegates wanted judges appointed from fear that in some of the black belt counties Negro judges might be elected. One delegate suggested the establishment of only five judicial districts in the state to enable whites to control judicial elections through gerrymandering. The suggestion of still another delegate that judges have twenty-five years experience would also have eliminated the

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<sup>9</sup>Ibid., p. 184.



Negro.<sup>10</sup> Finally, the delegates insured the election of white judges, by gerrymandering all counties that had from thirty to seventy per cent Negroes in a manner that gave whites the majority in each judicial district. Some of these "districts were elongated most absurdly, and few blacks, not numbering, it was thought more than a third of the voters in each district, were assigned to each."<sup>11</sup>

Negroes had played only a minor role in drafting the Texas Constitution of 1876, and among the blacks who had been delegates to the convention only Abner and McCabe remained active in politics in succeeding years. Most active of the Negro delegates was William Reynolds who unsuccessfully attempted to have 30,000 acres of public land designated for an agricultural and mechanical college for Negroes.<sup>12</sup> For the most part, the Negro took no part in shaping measures that were either beneficial or detrimental to his interest. Since the black delegates recorded no objections to the final document, it might be

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<sup>10</sup>McKay, Making the Texas Constitution of 1876, pp. 91-92.

<sup>11</sup>Austin Statesman, February 3, 1876.

<sup>12</sup>Lawrence Delbert Rice, "The Negro in Texas 1874-1900," unpublished doctoral dissertation, Department of History, Texas Technological College, p. 33.

assumed that they were too politically unsophisticated to challenge the policy of retrenchment advocated by the Democrats.

Many Texans spoke out against ratification of the Constitution, with the Galveston Daily News leading with articles opposed to the document. The two parts that most disturbed those in opposition were the failure of the proposed Constitution to provide a poll tax and the provision that judges would be elected rather than appointed. The News argued that because of these two provisions, Negroes would govern from fifteen to eighteen counties.<sup>13</sup> The Marshall Tri-Weekly Herald claimed that the delegates had turned over Harrison, Marion, and fifteen or sixteen counties to the blacks and their white leaders.<sup>14</sup> The views of these papers were mere speculation, yet undoubtedly they expressed the fears of many Texans.

Republicans voiced their opposition to the proposed Constitution in a convention held at Galveston from January 12 through 14, 1876, at which about one-half of the delegates were Negroes. The blacks expressed concern over the failure of the Constitution to insure an efficient, free public

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<sup>13</sup>Galveston Daily News, January 30, 1876.

<sup>14</sup>Marshall Tri-Weekly Herald, December 21, 1875.

school system, and they objected to the judiciary system, which they felt was "injurious to the poorer classes."<sup>15</sup>

During the campaign of 1876 to ratify the Constitution and elect a governor and legislature, the Democrats expressed vocally their criticism of both the Negroes and the Republicans. Perhaps in hopes of persuading some Negroes to vote Democratic, about a month before the election the Dallas Herald blasted the Republican's manner of treating Negroes. The Herald wrote:

The negro that leaves the Republican party, is regarded as the betrayer of his race; he becomes a social leper; he is shunned by his associates; . . . the members of his family are insulted and reviled; and the negro, a branded apostate and pronounced traitor is incontinently given over to the devil. Republicans, professing to free him, has sic but bound him in stronger fetters, and put him to more despicable uses. The terrorism of this rule has no parallel in the history of old time slavery and it is dangerous alike to the Southern white man and the negro at his side. Truly the negro needs a new emancipation, a second Abraham to arise . . . .<sup>16</sup>

The Houston Telegraph criticized Negroes for regularly selling their votes. Reporting that while some Negroes tried to get twenty dollars per vote, they later received only about nine dollars a dozen for their votes.<sup>17</sup>

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<sup>15</sup>Winkler, Platforms of Political Parties in Texas, p. 177.

<sup>16</sup>Dallas Herald, October 7, 1876.

<sup>17</sup>Houston Telegraph, February 6, 1876.

In the election the Constitution was easily ratified, and the Democrats readily re-elected Governor Coke with three times as many votes as the Republican candidate. The Republicans carried only sixteen counties--two in northeast Texas, all but one inhabited by more Negroes than whites, as well as three in the Hill Country west of San Antonio where the old German-Union element was large.<sup>18</sup> Texas voters elected four Negroes to the fifteenth legislature--William Burton senator from Fort Bend County and representatives Henry Sneed of Wharton County, W. H. Holland of Waller County, and S. Roberts of Harrison County.<sup>19</sup>

After the ratification of the Constitution, white men began to think about counteracting the black vote. Many whites in Texas had always said that Negroes should not vote, but now some Texans were plotting to negate the black vote, as was Guy M. Bryan from Galveston, a long-time friend of President Rutherford B. Hayes. Bryan summed up the feeling of many white Texans in a letter to the President in December of 1876. He wrote that the Negroes could "be

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<sup>18</sup> Chester Alwyn Barr, "Texas Politics, 1876-1906," unpublished doctoral dissertation, Department of History, University of Texas, Austin, Texas, 1925, p. 13.

<sup>19</sup> Budd, "The Negro in Politics in Texas, 1867-98," p. 58.

controlled . . . by electioneering influences usually resorted to in times of exciting elections . . . ." That the Negroes were still electing Republican office holders in some counties was "galling to white Texans because in the state as a whole the proportion of Negroes in the population was declining," Bryan informed the President.<sup>20</sup> He declared that the Negro question should be left to the whites, who would then "have all the responsibility and consequences of his [the Negro's] conduct good or bad upon them."<sup>21</sup>

Texas whites evidently had decided already to remove the Negro from county government even before Bryan wrote the President. Panola County established the first party "for whites only" in Texas at an all-white meeting held in October, 1876. Those attending drafted resolutions against the Negroes and their Republican friends.<sup>22</sup> With this small beginning the demand for white clubs gathered momentum after 1876 and accelerated in the 1880's. Frequently the Democrats tried to frighten the blacks, but when this

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<sup>20</sup>Guy M. Bryan to Rutherford B. Hayes, December 30, 1876, Ernest William Winkler, editor, "The Bryan-Hayes Correspondence," The Southwestern Historical Quarterly, XXVII (July, 1923), 53.

<sup>21</sup>Ibid., p. 54.

<sup>22</sup>Rice, "The Negro in Texas, 1874-1900," p. 192.

failed, whites resorted to violence. By the last decade of the century, white Democrats controlled county government in east and south east Texas just as they always had in other parts of the state where large numbers of blacks did not create a "Negro problem."

In an attempt to suppress Negro influence in the 1876 county and city elections, whites in Harrison County, adjacent to Panola on the north, attempted to hold the first white primary in Texas. At a mass meeting in 1876, the men organized the Citizens' party announcing as their goal the election of an all-white ticket. The election judges would not let a Negro, who had not previously supported the Democratic ticket, vote in the primary. Most (but not all) Negroes were prohibited from voting.<sup>23</sup> In the county election of 1878, Harrison's white voters attempted to trick Negro voters in several ways. For instance, the Citizens' party printed names of their nominees on the same type of paper used by the Republicans and then switched the ballots at election-time. Since many of the Negroes could not read, candidates supported by the all white party were elected. By 1888 whites in Harrison County no longer needed to use tricks to restrict Negro influence in local politics. The

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<sup>23</sup>Ibid., p. 193.

Citizens' party was in complete control of elections, and the Negro no longer tried to vote.<sup>24</sup>

In Fort Bend County where Negroes outnumbered whites four to one, blacks with the help of a few white Republicans held some county offices until 1888. At a meeting held July 7, 1888, a group of whites in that county organized the Young Man's Democratic Club in an attempt to control Negro influence in the upcoming election. Calling themselves Jay-birds, they referred to the Republicans as Woodpeckers. In an attempt to attract Negro voters for the Democrats, Jay-birds at first gave barbecues for the blacks, but after one white man was shot and two others wounded in August and September the Jays changed their tactics since Negroes were blamed for these incidents. At a mass meeting of four hundred men convened at the town of Richmond, whites decided that five leading Negroes must leave the county within ten hours. The whites then paraded to the homes of the blacks to force them to leave, but some had already left. In spite of the Jay-birds, the Woodpeckers won the November election because not many of the white people voted. The Jay-birds were not defeated in the long run, however. In

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<sup>24</sup>Sallie M. Lentz, "Highlights of Early Harrison County," The Southwestern Historical Quarterly, LXI (October, 1957), 255.

August, 1889, a shoot-out on the streets of Richmond between the two groups brought the Texas Rangers and Governor Lawrence Ross to restore order. Many Woodpeckers left the county in the next few weeks, and Negroes and Republicans held no more offices in the county since blacks were definitely subdued after that time.<sup>25</sup>

Whites in Texas often resorted to ridicule as well as intimidation in their campaigns to lessen the Negro's political influence. Editors of local papers received letters such as the one signed "Lily White" published in the Brenham Banner in 1878. It said:

The Republican county convention took place on the 15th last, and on last Saturday the best or precinct meeting was held here for the election of delegates. The meeting was held in the colored school house at Camptown and was attended by about five hundred persons, mostly negroes. A negro chairman and secretary were elected and then trouble commenced. Delegates were "balloted" for, and as a large majority of the colored sovereigns could not read, the "balloting" was done by the audience rising and tellers counting their woolly heads. The party here is divided into two factions, the ins and the outs; the court-house ring and the ring that wants to get into the court house. Politically, they are birds of a feather . . . .<sup>26</sup>

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<sup>25</sup>Wharton, History of Fort Bend County, pp. 192-216.

<sup>26</sup>Galveston Daily News, August 8, 1878, citing the Brenham Banner.



The treatment the Negroes received in Fort Bend and Washington counties was fairly representative of the treatment Negroes received in all of the counties as the Democrats banded together to eliminate the Negro vote. For example in 1879 the Democrats in Washington County placed a coffin on a street in Chappell Hill inscribed with the names of four Negroes who were to leave the county immediately.<sup>27</sup>

While many such minor incidents of intimidation occurred throughout the south-eastern section of Texas after 1876, the 1886 election in Washington County saw armed violence and murder which resulted in a United States Senate investigation of election practices in Washington, Fort Bend, Wharton, and Matagorda counties. The incident that precipitated the investigation resulted in the death of Dewees Bolton, son of a white candidate for county commissioner, in Washington County on election day, November 2. Supposedly, some blacks thought that the younger Bolton stole a ballot box; officials arrested several Negroes that night and charged them with the murder. On December 2, an armed mob removed three of these Negroes from jail and lynched them. In addition, the cheering mob put three white Republican

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<sup>27</sup>Rice, "The Negro in Texas, 1876-1900," p. 200.

leaders on a train leaving Brenham, and as the train pulled away members of the crowd threw a rock through the train window and fired two shots at the departing men.<sup>28</sup>

In some counties, such as Leon County in 1880, tactics were perhaps less harsh, yet in other counties, such as Robertson, violence reigned. After a Negro, Larry Fennell, was elected and inaugurated commissioner in Leon County, the whites made conditions "so unpleasant for him that he resigned and left the county."<sup>29</sup> At the Robertson County courthouse in Franklin, about forty armed men stood guard to prevent Negroes from voting. Negro political influence virtually ended in Robertson county after an incident involving Hariel Geiger, a former black member of the state legislature. Geiger made an insulting remark while defending a man in the court of Judge O. D. Cannon. The judge pulled a gun and shot Geiger five times; this ended what Negro influence existed in Robertson County.<sup>30</sup> By 1895 whites

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<sup>28</sup>United States Senate, Testimony on the Alleged Election Outrages in Texas, 50th Congress, 2d Session, No. 62 (Washington, 1889), pp. 1-5.

<sup>29</sup>Francis Jane Leathers, Through the Years, A Historical Sketch of Leon County and the Town of Oakwood (Oakwood, Texas, 1946), pp. 53-54.

<sup>30</sup>Richard Denny Parker, Historical Recollections of Robertson County Texas (Salado, Texas, 1955), p. 49.

had effectively eliminated Negro participation in Texas politics at the county level.

Blacks did not acquiesce willingly to the white man's attempts to suppress his political rights. Although Negroes had few methods they could use to show their feelings, still they voiced their opinions. At a convention which met in Austin July 10-12, 1883, Negroes protested against the white men's treatment, as they had a decade earlier. Calling on "all good citizens" to condemn the outrages perpetrated against the blacks in various sections of the state, they demanded an end to lynching by "so-called law-abiding citizens." Furthermore, the convention asked that Negroes be called for jury duty as well as being guaranteed fair and impartial trials.<sup>31</sup>

At the same time Negroes were being eliminated from participation in county government, their numbers decreased in the state legislature. While four Negroes had served in the fifteenth legislature, the sixteenth legislative session from 1878 to 1880 contained only one Negro Senator, William M. Burton from Fort Bend County and seven black

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<sup>31</sup>Texas State Convention of Colored Men, Proceedings (Houston, 1883), pp. 21-22, 16-17.

representatives. Most of the Negroes received committee assignments, and Burton actively attempted to obtain passage of legislation beneficial to blacks. He introduced one bill to establish an Agricultural and Mechanical College for Negroes and another to establish a Manual School in connection with the proposed Negro agricultural school so that students might work to help pay their expenses. The Legislature adopted Burton's resolution to establish a normal school in Waller County to train Negro teachers.<sup>32</sup>

Although Senator Burton was more active in introducing legislation than the Negro representatives in the house, the other black representatives made good legislators. Since the Democrats controlled both houses after 1874, it became increasingly difficult for Negroes to introduce legislation. By 1880 only four Negroes were serving in the house, and most of their activities were limited to reading petitions. Senator Burton's term ended in 1882, and he was the last Negro to serve in the Texas Senate.<sup>33</sup> The eighteenth legislature had only two Negroes and the nineteenth legislature

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<sup>32</sup>Brewer, Negro Legislators of Texas, pp. 74-76.

<sup>33</sup>Ibid., pp. 81-82.

which served from 1885-1886 had three in the house. The use of intimidation and fraud undoubtedly reduced the influence of Negro voters in Texas; thus the twentieth legislature became the first all-white legislature since the Negro had acquired the franchise.<sup>34</sup> Although two Negroes were elected again to the legislature in 1888, obviously the white Democrats' methods of dealing with the Negroes were seeing fruition. There was one Negro representative in the legislature in 1890, one in 1892, and two in 1894.<sup>35</sup> By 1896 the Negroes had been eliminated from an active role in politics in the counties and in the law-making body of the state.

The Negro became an important force in Republican party affairs in Texas even before the Republicans' loss of prestige and power; however, as the Republican party lost prestige, the Negro played an increasingly active role in party affairs until the end of the nineteenth century. While never a serious threat to the Democrats in the election of state officials after 1873, the Texas Republican party, a minority party by 1876, could no longer elect a ticket without the help of either dissatisfied Democrats or third parties.

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<sup>34</sup>Budd, "The Negro in Politics in Texas, 1867-98," pp. 60-61.

<sup>35</sup>Ibid., p. 110.

Edmund Davis, the only Republican governor of Texas, was nominal leader of the party, and in 1878 he suggested that the Republicans fuse with the Greenbackers, although the Greenback Party had little in common with either the Negroes or the Republicans except its opposition to the Democrats. Since Davis was unable to exercise full control of the Republican Party after losing in the election of 1876, a small group of Republicans met and decided to run their candidates for office in 1878. They chose A. B. Norton as the gubernatorial candidate and Richard Allen as candidate for Lieutenant Governor.<sup>36</sup> Allen, from Harris County, was the first Negro selected as a candidate for an important state office. The Republicans lost as did all their candidates for state offices in the following years. In the next few years the Republicans made many attempts to fuse with other parties in order to defeat the Democrats, but they never succeeded. The party was continually grasping for a winning combination, which caused them to vacillate between choosing Republican candidates for office or fusing with other groups.

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<sup>36</sup>Winkler, Platforms of Political Parties in Texas, p. 190.

Most Negro Republicans, including Norris Wright Cuney from Galveston, followed Davis's recommendation to fuse with the Greenbacks. A mulatto, born on a Brazos plantation, Cuney grew up in Houston. Sent by his father to Wylie Street Public School for Negroes in Pittsburgh, Cuney planned to attend Oberlin College after graduation; however, the Civil War interrupted his plans and he eventually returned to settle at Galveston, Texas. Cuney became interested in politics, and George T. Ruby was responsible for his appointment as first assistant to the sergeant-at-arms of the twelfth legislature in 1870. Personable, educated, friendly, and "a climber of sorts, Cuney was an energetic hustler selling himself and his capabilities to others."<sup>37</sup> A delegate to the Republican National Convention in 1876 and again in 1880, he was well on his way to prominence in the Republican party.<sup>38</sup>

During the eighties the Republican Party continued its search for a winning combination, while the Negro increased his strength within the party. In 1880 Davis, again head of the party, ran unsuccessfully as the Republican gubernatorial candidate for the last time.<sup>39</sup> By 1882 Cuney's

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<sup>37</sup>Hinze, "Norris Wright Cuney," pp. 6-9, 57.

<sup>38</sup>Winkler, Platforms of Political Parties in Texas, pp. 176, 197.

<sup>39</sup>Hinze, "Norris Wright Cuney," p. 69.

rise in the party had become more evident, especially at the state convention in Waco. One half of the 410 delegates present were Negroes with Cuney serving as temporary chairman and a member of the committee that decided which independent candidates to support. The Republicans, thinking they would have a better chance to influence the election, did not nominate a slate of candidates but fused with the Greenbackers to vote for the independent candidate, George Washington Jones.<sup>40</sup>

When the Republicans met again in 1884, Davis had died and a struggle developed among the delegates to see who would lead the party. Cuney, with the support of the Negroes, became the victor. Attending the Chicago Republican convention in the summer of 1884, he was elected its vice-president. In September the Republicans met in a state convention, and Cuney ruled the proceedings. The white delegates submitted a minority report asking that a full state ticket be nominated, but the Negroes thought their chances of winning would be better if they fused with the Greenbacks; hence, they rejected the minority report. Bolting the convention, the white delegates met three weeks later to nominate their own candidates for office, thus heralding a definite break

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<sup>40</sup>Winkler, Platforms of Political Parties in Texas, pp. 212, 214.



along a color line within the party. Fusion having failed, the Greenback Party held no more conventions after 1884.<sup>41</sup>

The Negroes continued to rule the Republican Party after the Greenbacks disappeared from the political scene. Cuney and his followers chose a list of candidates for the election of 1886, and the white segment of the party rejoined the regular Republicans. The party did so poorly in the election that Cuney refused to put candidates into the field in the election of 1888. The whites, resenting the fact that they had little voice in the party, formed a white man's party in Houston.<sup>42</sup> From this time, the Republicans never overcame the rent in their party until the Negro became subordinate to the whites.

Unhappy about their role in the party in the past and fearful of their future role, the white segment split the party. Since Cuney was the acknowledged leader of the Texas Republican party, the whites feared that future federal patronage would go primarily to the Negroes. The white element of the party was correct in thinking Cuney would receive federal patronage, because President Benjamin Harrison

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<sup>41</sup>Barr, "Texas Politics, 1876-1906," pp. 213-214.

<sup>42</sup>Dallas Daily Herald, September 17, 22, 1888.

in 1889 appointed him to a most important post, Collector of the Port at Galveston.<sup>43</sup>

When the Republican convention met in San Antonio in 1890, the war between the Lily-White segment and the Negroes raged. One of the Lily-Whites, James P. Newcomb, passed out a newspaper, the White Republican, which condemned the Lodge Bill and the Negro. This paper claimed that the Republican Party could grow only with white leadership. Max Urwitx, a physician, organized meetings of the Lily-White group in September, December of 1890, and April of the following year, 1891, in which Negro domination of the party was condemned and plans made for white control of the party.<sup>44</sup>

While the Republicans feuded among themselves, an event of importance to the Negroes occurred in 1891; this was the first state convention of the Populist party in Texas. The Populist wanted to enact legislation that would help rural workers, and the campaign was aimed at the poor, regardless of their color. Not only would the poor be helped, but the Democrats would be defeated, the Populists declared. This concept of uniting the black and white man

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<sup>43</sup>Hinze, "Norris Wright Cuney," pp. 90-91.

<sup>44</sup>Ibid., p. 93.

because of their condition in life gained many converts among the Negroes, as many blacks were disillusioned with the Republicans.<sup>45</sup>

The Lily-White Republicans called a state convention in 1892. At this first Republican convention in the state with no Negroes in attendance, the party nominees for state office included Andrew Jackson Houston for governor. Their platform declared that:

. . . the necessity has arisen for the organization of the Republican party of Texas independent of its past history and upon the further recognition of the fact that only upon the intelligence and manhood of the white American citizen can any party in this country hope for growth and success.<sup>46</sup>

In September Urwitz issued a proclamation that the white Republicans did not want to take away the black's vote, but wanted only to help him vote in a more intelligent manner. The Negroes, Urwitz added, should pay more attention to their families instead of trying to control the party.<sup>47</sup>

The election year of 1892 saw a schism within the Democratic party as well as the Republican party. The regular Republicans chose to fuse with the Democratic segment

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<sup>45</sup>Winkler, Platforms of Political Parties in Texas, p. 300.

<sup>46</sup>Ibid., p. 304.

<sup>47</sup>Hinze, "Norris Wright Cuney," pp. 101-102.

who were for the gold standard, whose nominee for governor was George Clark, a former judge. Cuney reasoned that his party stood a better chance of defeating the Democratic nominee for governor, James Hogg, if he fused with Clark's Democrats. The Lily-White or reform Republicans ran candidates, and also the Populist party.<sup>48</sup>

The Populist party used every conceivable means of converting Negroes to their way of thinking. Giving picnics for the Negroes, the party invited outstanding orators to extol the benefits of Populism.<sup>49</sup> At owl meetings, Populists provided whiskey for the Negroes, and "the next morning [these blacks] were marched to polling places to vote protected from Democrats by armed guards where a 'nigger man' (a white man good at controlling Negro votes) would examine the ballot and put it in the box."<sup>50</sup> Many Negroes received from ten to fifty cents for each ballot and some places of importance in the party; the Populists placed two Negroes

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<sup>48</sup>Texas Almanac and State Industrial Guide (Dallas, 1970), p. 533.

<sup>49</sup>Galveston Daily News, October 19, 1894.

<sup>50</sup>Roscoe C. Martin, The People's Party in Texas, A Study in Third Party Politics (Austin, 1933), p. 179.

on the State Executive Committee at their first convention.<sup>51</sup> The Populists successfully utilized the services of John Rayner, a mulatto from Calvert, Texas. Stumping the state expounding the cause of Populism, Rayner made a tremendous influence on other Negroes. Formerly, he had been a member of the Republican party but felt the Populist party offered more opportunities for blacks.<sup>52</sup>

As the Populist party gained strength, by 1894 the regular Democrats decided that the breach within the party must be healed in order to combat the growing strength of the Populist. The Democrats had no difficulty winning again with 207,167 votes as opposed to the Populist's 152,731 votes, the Republican's 54,520 votes, and the Lily-White's 5,036 votes.<sup>53</sup>

The year 1896 proved to be an extremely important one for the Negro, especially for Cuney, whose downfall coincided with that of his people. After that year the black's role

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<sup>51</sup>Ibid., p. 94.

<sup>52</sup>Douglass Geraldine Perry, "Black Populism: The Negro in the People's Party in Texas," unpublished master's thesis, Department of History, Prairie View University, Prairie View, Texas, 1945, p. 35; Martin, The People's Party in Texas, p. 126.

<sup>53</sup>Texas Almanac and State Industrial Guide, p. 533.

within the Texas Republican party diminished, and he never again became a force of consequence in Texas politics. The Republicans met in Austin March 24-26, with convention support divided among three nominees for President of the United States, William Allison of Iowa, William McKinley of Ohio, and Thomas Reed from Maine. Allison's supporters combined with the Reed group and selected Cuney chairman of the delegation. When Cuney declared the list of delegates elected as read, those for McKinley tried unsuccessfully to take over the convention. Failing this, they selected their own delegates to the national convention choosing John Grant from Grayson County as the leader. When the national convention met in St. Louis in June, Grant's delegation received recognition instead of Cuney's. Mark Hanna, McKinley's influential campaign manager, had previously tried and failed to win Cuney's support. Cuney's loss of leadership was a crushing defeat for him, and his second one followed immediately.<sup>54</sup>

Grant, now in command of the Texas Republican party, used his influence to insure Cuney's defeat when the Republicans elected a temporary chairman of the convention meeting in September. Grant and his candidate, Charles

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<sup>54</sup>Hinze, "Norris Wright Cuney," pp. 120, 122-124.

Ferguson, a Negro from Lamar County, were carried around the hall, as some of the delegates sang, "We'll hang Wright Cuney on a sour apple tree."<sup>55</sup> Unable to line-up enough support to regain his leadership of the party, Cuney realized that his political significance had ended. The Lily-Whites returned to the fold, and the Republicans fused with the Populist party on a state level in 1896.<sup>56</sup>

The Democrats and the Republican-Populist coalition were cognizant that the Negro could hold the balancing vote in the election of 1896, since blacks composed twenty-two per cent of the Texas population.<sup>57</sup> The Democrats, afraid of a coalition between the blacks and the Populists, "spent . . . considerable sums on food, drink, and speakers to keep Negro voters from the Populists ranks."<sup>58</sup> In addition, Democrats used owl meetings and strong arm tactics to control the Negro vote. Perhaps the most important factor in defeating the Republican-Populist coalition was the work of a Negro, William (Gooseneck Bill) McDonald.

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<sup>55</sup>Ibid., pp. 127-128.

<sup>56</sup>Dallas Daily Times Herald, September 10, 1896.

<sup>57</sup>Martin, The People's Party in Texas, p. 89.

<sup>58</sup>Barr, "Texas Politics, 1876-1906," p. 198.

Touring the black belt counties, he spoke to large groups of Negroes in the interest of the Democrats.<sup>59</sup> The Populist implored the poor whites to forget color and unite with the blacks since their interests were similar, but the poor whites feared Negro domination. The Negro voter faced a dilemma since the Lily-Whites now controlled both the Democrat and Republican parties. Hence, the Negro, having no future in either party, often traded his vote for things he desired-- food, drink, or money. Since the Negroes divided their votes between the two parties, black votes were not nearly as important as they might have been. The Democratic candidate, Charles Culberson, received 298,528 votes while the Republican-Populist candidate, Jerome Kearby, gained 238,692 votes.<sup>60</sup>

The Negro's political significance in Texas politics ended after 1896. The Populist party reached its peak, and the Democrats' leadership was not seriously challenged again. Bill McDonald, returning to the Republican party after the election of 1896, and Ferguson attempted to gain control of the party but failed because the Lily-Whites would not submit to the Negro. Cuney's drive and personality

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<sup>59</sup>Martin, The People's Party in Texas, pp. 236, 243.

<sup>60</sup>Winkler, Platforms of Political Parties in Texas, p. 646.



had wielded the Negroes together, but his passing from the political scene left the Negroes without anyone of his caliber to unify them. Perhaps even more important was the fact that by 1896 the white man was determined that the Negro stay in his place. To insure this, laws were passed that severely hampered any political action of the Negroes.

An effort had been made in the Constitutional Convention in 1875 to make the payment of a poll tax a prerequisite to voting, but to no avail. In 1879 and again in 1883, the Democrats attempted to amend the constitution so that a poll tax would be required by law.<sup>61</sup> An attempt to adopt the poll tax failed in 1889 and again in 1891 when William C. Elwee from St. Redwig introduced a resolution requiring prospective voters to show a poll tax receipt.<sup>62</sup> In 1895 the legislature rejected a bill that would have imposed a fine of \$1000 or a jail sentence if a citizen voted without a poll tax.<sup>63</sup> In 1899 a Joint House Resolution recommended

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<sup>61</sup>Journal of the House of Texas, Sixteenth Legislature, 1st Session (Austin, 1880), p. 54; Journal of the House of Texas, Eighteenth Legislature, 1st Session (Austin, 1884), p. 89.

<sup>62</sup>Journal of the House of Texas, Twenty-First Legislature, 1st Session (Austin, 1889), p. 588; Journal of the House of Texas, Twenty-Second Legislature, 1st Session (Austin, 1891), p. 56.

<sup>63</sup>Journal of the House of Texas, Twenty-Sixth Legislature, 1st Session (Austin, 1895), p. 40.

that the constitution be amended to require a poll tax.<sup>64</sup> Finally, in 1901 the poll tax amendment was passed by the house and senate and adopted by the voters in 1902.<sup>65</sup> Since nearly all Negroes were impoverished, this law was a major obstacle to suffrage.

Besides the poll tax, other laws were passed to deter Negroes from voting. Many blacks could not read and recognized the ballot of their party by its shape and color, so in 1879 the Democratic controlled legislature passed a law that required all parties to use uniform ballots.<sup>66</sup> This law made it easy to deceive the illiterate Negroes.

As the white man's parties arose in the counties, white primaries came into being, and by 1892 they were in widespread use.<sup>67</sup> In 1905 the Terrell election law made primary elections for the Democratic Party mandatory. County and precinct nominees were decided according to the results of

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<sup>64</sup>Journal of the House of Texas, Twenty-Sixth Legislature, 1st Session (Austin, 1899), p. 744.

<sup>65</sup>Texas Almanac and State Industrial Guide, p. 529.

<sup>66</sup>Gammel, The Laws of Texas, VIII, 1420.

<sup>67</sup>Barr, "Texas Politics, 1876-1906," p. 243.

the primary, and the Democratic party decided who voted.<sup>68</sup> Thus, this law put a legal stamp on what the white man had done already during the last quarter of the nineteenth century.

Lily-White clubs, an increase in Negro intimidation, and white primaries developed after the Democrats regained control of politics in the state in 1874, but the black man was politically active until the end of the century. He voted, held local and county offices, and served in the state legislature. Negroes controlled the politics of the Republican Party and frequently represented the state in national conventions. Negro leaders such as Norris Wright Cuney, William McDonald, and John Rayner were competent politicians who were powerful forces on the political scene until after the election of 1896. During the last quarter of the century discrimination, intimidation, and actual violence increased, but it took approximately twenty-five years for the white man to put the black man in his place-- actually make him a second class citizen politically.

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<sup>68</sup>Rupert N. Richardson, editor, Texas the Lone Star State (Englewood Cliffs, New Jersey, 1958), p. 282.

## CHAPTER III

### THE NEGRO AND RELIGION

The white church's rejection of the Negro as an equal after the Civil War established a precedent that helped establish future race relations. Having built up a theological basis for slavery before the war, protestant denominations continued to regard the Negro as inferior.<sup>1</sup> Being free did not change the Negro's position in the churches nor his relation to the white man, who expected him to maintain his former status. Accepting the Negro in the same church, the white man still seated him in segregated areas and excluded him from church affairs. Interpreting freedom differently, the Negro expected to be able to participate in church affairs. Thus as the whites drew the color line the blacks left their old churches to establish new houses of worship. Because of the emotional nature of the doctrine, nearly all Negroes belonged to the Baptist or Methodist denominations.

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<sup>1</sup>David M. Reimers, White Protestantism and the Negro (New York, 1965), p. 27.

Texas Negroes, seeking an opportunity to express themselves freely, were attracted to the Baptist faith. The Baptist organization appealed to the Negro since each church was autonomous; therefore, the Negroes conducted services as they pleased with freedom from white control.<sup>2</sup> Each church chose its minister, deacons, and methods of allocating offerings.

White Baptists were uncertain how to cope with the Negro's exodus from the church. Noting the reluctance of some churches to permit the Negro's departure, the Texas Baptist Convention recommended that each church determine if separate worship facilities were feasible.<sup>3</sup> The differences of opinion in the Colorado [Texas] Association represented the views of white Texas Baptist in 1866. This association's majority report recommended that Negroes have separate services within the churches, while the minority report urged separate Negro churches. The recommendations of the minority became the policy adopted throughout the state.<sup>4</sup>

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<sup>2</sup>Vernon Lane Wharton, The Negro In Mississippi 1865-1890 (New York, 1965), p. 258.

<sup>3</sup>Texas Baptist Convention, Minutes (Houston, 1865), p. 49.

<sup>4</sup>James Milton Carroll, A History of Texas Baptists (Dallas, 1923), pp. 342-344.

By 1870 the pattern of segregation was established in the Negro churches. Claiming that blacks incited the exodus, white Texans refused to acknowledge responsibility for the division.<sup>5</sup>

At first the Negro Baptists did not want white men supervising them because "the Negro church was a refuge, an escape from the white world and its painful experiences." The churches allowed them to give vent to their pent-up emotions. His religion emphasized the other-world outlook, helping him forget the injustices of this world.<sup>6</sup> Only in their churches could Negroes realize the meaning of freedom because in every other aspect of their lives the whites exerted at least some control.

These often illiterate people, only a few years removed from slavery, made remarkable accomplishments during the seventies. Realizing a need for instruction, they invited white Baptist preachers to teach them in Ministers' Institutes.<sup>7</sup> Most Negro preachers, knowing little about the meaning of the

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<sup>5</sup>Rufus B. Spain, At Ease in Zion, Social History of Southern Baptists 1865-1900 (Nashville, 1961), pp. 51-52.

<sup>6</sup>Edward Franklin Frazier, The Negro Church in America (New York, 1963), p. 46.

<sup>7</sup>Carroll, A History of Texas Baptists, p. 356.

Bible, were cognizant of their need and anxious for instruction.<sup>8</sup> By 1873 the Negroes had not only organized several local associations, but established a state organization, the Colored Baptist Convention.<sup>9</sup> Reports from several Negro associations indicated the phenomenal growth of Negro Baptist by 1875. The Neches River Association reported thirty-seven Negro churches with 2,299 members, while the Austin Association reported that Negro churches had constructed buildings, had large congregations, and had given money to missions.<sup>10</sup> By the end of the seventies the twenty-three associations had 50,000 members, 500 churches, and 200 ordained ministers.<sup>11</sup> Considering the black's poverty and modicum of education, these were extraordinary results. In considering the Negro's successes, even more important was the lack of aid from white Baptist.

Negro Baptists in the eighties not only increased in size but actively supported home and foreign missionaries and Negro Baptist schools. By 1885 the blacks had 25 Baptist

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<sup>8</sup>Texas Baptist Convention, Minutes, 1877, p. 19.

<sup>9</sup>The Baptist Home Mission Monthly, X, No. 12 (1888), 340.

<sup>10</sup>Carroll, Texas Baptists, pp. 356-357.

<sup>11</sup>Texas Baptist Convention, Minutes, 1879, p. 11.

Associations, 800 churches, 500 ministers, and a membership of 65,000.<sup>12</sup> The extent of their mission program indicated their concern about the spiritual welfare of other Negroes. Reverend Allen R. Griggs, a Negro hired as the Superintendent of Missions in 1883, skillfully organized the mission program so that by 1887 twenty-six missionaries worked under him.<sup>13</sup> The white Baptist reported that Griggs "accomplished a missionary work rarely surpassed in the history of modern missions." Gifts of the Negro Baptists supported these missionaries.<sup>14</sup> The records of the white Baptist General Association and the Baptist Convention contained numerous references to the Negroes' interest in the welfare of Africans. In 1888 the Proceedings reported that the Negro convention had "raised a handsome amount to carry the gospel to Africa."<sup>15</sup> The Colored Baptist State Convention established an academy at Hearne, and the Guadalupe Baptist Association Negro purchased the Guadalupe Academy located at Seguin.<sup>16</sup> Obviously

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<sup>12</sup>Texas Baptist General Association, Proceedings (Dallas, 1885), p. 31.

<sup>13</sup>Carroll, Texas Baptist, p. 577. A.R. Grigg's salary was derived from three sources that will be discussed later, but part was paid by the Negroes.

<sup>14</sup>Texas Baptist General Convention, Proceedings (Dallas, 1887), p. 11.

<sup>15</sup>Ibid., 1888, p. 8.

<sup>16</sup>Ibid., 1886, p. 27. Texas Baptist did not establish any educational facilities for the Negroes. This will be explained in the chapter on education.



Negro Baptists were interested in their brothers' welfare--spiritually and intellectually.

Negro churches in the nineties continued to prosper and their mission program continued to grow until, as a result of the white interference, the Negro convention split. Thus the white Texas Baptist destroyed the work that Negroes had started and financed for almost thirty years.<sup>17</sup>

White Texas Baptists contributed little to the Negro's religious accomplishments over the years. After the Negroes formed their own churches, white Baptists neglected the black's welfare.<sup>18</sup> Although the Negroes constantly asked for Biblical instruction in the seventies, the Minutes of the Texas Baptist General Convention revealed that little help was forthcoming. Contending that it was "the duty of our minister and brethren" to instruct the Negroes, the denomination did nothing for the blacks.<sup>19</sup> One white Baptist, G. W. Capps from Burton, realized the hypocrisy of the convention when he said, "We are sick and tired of mere

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<sup>17</sup>Carroll, A History of Texas Baptist, p. 673; Texas Baptist General Convention, Proceedings, 1893, p. 83; 1895, pp. 28-29.

<sup>18</sup>Spain, At Ease in Zion, pp. 52, 57.

<sup>19</sup>Texas Baptist Convention, Minutes, 1878, p. 16. See the Minutes of the 1870's for annual reminders to the convention that Negroes needed and were anxious for instruction.

reports submitted to and adopted by this body and till now they have served as both report and labor. The time has come for action . . . ." Capps' report met the fate of former reports on Negroes--it was recommitted to a committee.<sup>20</sup> Baptists had many justifications for their omissions--scarcity of money, presence of northern teachers, and reluctance of Negroes to receive aid. Lack of concern and fear of social equality were perhaps the true reasons for the white's neglect.<sup>21</sup>

In the beginning of the eighties, the Baptist still had not aided the Negroes with either money or religious instruction, but in 1883 the denomination agreed on two projects to assist the blacks.<sup>22</sup> Mentioned previously was the hiring of A. R. Griggs as superintendent of Negro missions. A difference of opinion exists on how much of Griggs' salary Texas Baptists paid. Rufus Spain, a history professor at Baylor University and author of At Ease in Zion, claimed that the Negro convention paid all of the superintendent's

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<sup>20</sup>Ibid., 1880, p. 12.

<sup>21</sup>Spain, At Ease in Zion, p. 67.

<sup>22</sup>Texas Baptist General Association, Proceedings, 1882, p. 24; Texas Baptist Convention, Minutes, 1880, p. 12; 1881, p. 11; 1882, p. 30.

salary.<sup>23</sup> Leading Baptist layman, James Carroll, wrote that white Texas Baptist paid one-fourth, and the northern Baptist Home Mission Society helped too.<sup>24</sup> Apparently Griggs' salary came from all three organizations with the Texas Baptist paying the smallest amount, one-fourth. Next, the Baptist association hired Texas Baptist W. H. Parks to hold Minister's Institutes among the Negroes. The Home Mission Board of the Southern Baptist Convention paid one-half of Park's wages. The association agreed to accept the offer of I. T. Tichenor, Texas Baptist layman, to defray the denomination's share of Park's salary.<sup>25</sup> Griggs' work with the Negro missionaries continued until 1895, but Parks resigned after serving only two years. A replacement for Parks was discussed by the association in 1885, but never mentioned again.<sup>26</sup>

While professing concern for the spread of the gospel, Texas Baptist also avowed an interest in black education. The Proceedings of this period frequently enumerated the

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<sup>23</sup>Spain, At Ease in Zion, p. 59.

<sup>24</sup>Carroll, A History of Texas Baptist, p. 577.

<sup>25</sup>Texas Baptist General Association, Proceedings, 1883, p. 30.

<sup>26</sup>Ibid., 1885, p. 31.

educational facilities available for blacks in Texas.<sup>27</sup>

A careful reading of the Proceedings revealed that Baptist organizations did nothing for black education with the exception of collecting twenty-two dollars and fifty cents in 1892 for the Guadalupe Academy in Seguin.<sup>28</sup> The northern American Baptist Home Mission Society encouraged and funded Texas Negro's education, but Texas Baptist either feared Negro education or were apathetic.<sup>29</sup> Regardless, Texas Baptist appeared more interested in black evangelism than education.

Texas Baptist talked about religious training and spreading of the gospel among the Negroes for several reasons. Baptists feared that blacks would "become dupes of the Roman Catholic church" and "become fit tools in the hands of

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<sup>27</sup> Ibid., 1885, p. 31; Texas Baptist General Convention, Proceedings, 1886, p. 27.

<sup>28</sup> Texas Baptist General Convention, Proceedings, 1892, p. 66. The Proceedings, 1886, p. 27, proposed that \$1000.00 be given to the Negro Guadalupe Academy to pay the principal's salary, but a record that this was done could not be found.

<sup>29</sup> The educational work of the northern American Baptist Missionary Society in Texas among the Negroes will be discussed in Chapter IV. Besides founding educational facilities for the Negroes, the Women's Home Mission Society worked with Negro women and in one year spent \$1,500 in Texas. Texas Baptist General Convention, Proceedings, 1886, pp. 27-28.

priests and demagogues to overwhelm church and state with ruin."<sup>30</sup> Second, Texans feared that whiskey men would "make them [Negroes] instruments to maintain their power at the ballot-box."<sup>31</sup> Also, many whites believed that religion prevented anarchy, shiftlessness among the Negroes, and amalgamation of the races. Finally, a religious Negro helped the material development of the whites, Baptists argued. They assumed that Christianity cured all these impending evils and would bring peace and prosperity to both blacks and whites.<sup>32</sup>

Previously mentioned was the fact that in the 1890's a change developed in the Negro's mission activities. Texas Baptist attempted to direct the Negro's program; this coincided with white contributions to Negro evangelism. In 1892 Baptist gave \$900.00 and the following year \$1000.00 to the black's mission program.<sup>33</sup> Reducing the number of Negro missionaries from thirty to sixteen in 1893 and to

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<sup>30</sup>Texas Baptist General Association, Proceedings, 1885, p. 30; Texas Baptist General Convention, Proceedings, 1887, p. 21; 1890, p. 70.

<sup>31</sup>Texas Baptist General Convention, Proceedings, 1887, p. 21.

<sup>32</sup>Ibid., 1889, p. 18.

<sup>33</sup>Ibid., 1893, p. 83.

ten the following year, the whites loudly proclaimed that the mission program now was "far more satisfactory." Then in 1895 Baptist recommended that aid to the Negroes cease because the black convention had split, claiming that money could not be given one group without offending the other.<sup>34</sup>

The Texas situation probably resembled conditions in other southern states at that time. The Home Mission Board of the Southern Baptist Convention, to which Texas belonged, reported that the Negroes had developed a "race feeling," and white aid would be accepted only if Negroes directed the spending of the money.<sup>35</sup> While older Negroes acquiesced, remaining subservient to the whites, the younger ones disapproved of white Baptist directing the blacks' program.<sup>36</sup>

In 1894 Allen Griggs' annual report on Negro affairs in Texas to the northern Baptist missionary society confirmed the breach between the blacks and whites. It stated that:

the whites and blacks are drifting apart more and more in everything. Our people [Negroes] are largely to blame for this state of things. The help, friendship and co-operation of the whites are not as freely encouraged as it should be. This is a great loss to us and no gain to them. We pray daily for a closer

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<sup>34</sup>Ibid., 1893, p. 12; 1894, p. 25; 1895, pp. 28-29.

<sup>35</sup>Southern Baptist Convention, Annual, 1901, pp. 143-144.

<sup>36</sup>Spain, At Ease in Zion, p. 65.

affiliation with the whites in all things that will tend to elevate the Negro and bring blessings to the whites.<sup>37</sup>

Apparently, Griggs' desire for a closer relationship failed because in 1896 the Texas Proceedings did not even mention the Negro, and a committee appointed in 1900 to report on blacks failed to do so. Relationships between black and white Baptist were practically non-existent by the end of the century.

Believing themselves superior to the Negro, Baptists agreed that blacks were content with their position in life. A report given before the Southern Baptist Convention exemplified Texan's viewpoint. It stated:

Nothing was plainer to anyone who knows this race [Negroes] than its perfect willingness to accept a subordinate place, provided there be a confidence that in that position of subordination it [Negroes] will receive justice and kindness. That is the condition in which it obtains the highest development of every attribute of manhood. Whenever it shall understandingly and cheerfully accept this condition, the race problem is settled forever.<sup>38</sup>

Texas Baptists also questioned the humanity of the Negro by the end of the century. Charles Carroll's book, The Negro, A Beast, went to great lengths proving that blacks

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<sup>37</sup>The Baptist Home Mission Monthly, XVI, No. 7, 1894, p. 304.

<sup>38</sup>Southern Baptist Convention, Proceedings, 1891, p. xxxvi.

were apes and therefore not descendents of Adam and Eve.<sup>39</sup> Leading Baptist of the state condemned such a theory and asked Texans "everywhere to expose and denounce the insulting and outrageous book."<sup>40</sup> Many Texans must have read and perhaps believed Carroll's hypothesis in order to justify an article in the Baptist's state newspaper.

The Texas Methodist's treatment of the Negroes resembled the Baptist's. After the Civil War the Methodist felt "that the two people [blacks and whites] were divided by racial traits that were fundamental and ineradicable."<sup>41</sup> Since there was no question of equality among church members, the Negroes left the Methodist church to form segregated houses of worship. One author, writing for the Board of Missions of the Methodist Church, emphasized that "the Negroes themselves asked for a separate status."<sup>42</sup> While agreeing with this, William R. Clark of Boston said in the

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<sup>39</sup>Charles Carroll, The Negro, A Beast (St. Louis, 1900), pp. 87, 90.

<sup>40</sup>Texas Baptist Standard, November 20, 1902.

<sup>41</sup>Hunter Dickinson Farish, The Circuit Rider Dismounts; A Social History of Southern Methodism, 1865-1900 (Richmond, Virginia, 1938), p. 209.

<sup>42</sup>Mason Crum, The Negro in the Methodist Church (New York, 1951), p. 56-57.



northern Methodist newspaper, the New York Christian Advocate, that Negroes left white churches only because of ostracism.<sup>43</sup> Texas Negroes not only formed their own Methodist churches but also established segregated conferences; the first Negro Methodist conference originated in 1870 at Carthage, Texas.<sup>44</sup>

Texas Methodists did not have a central body to represent the state but were divided into several conferences. In December of 1876 some members of the integrated West Texas Conference organized the Austin Conference, which required the exclusion of Negroes. These Methodists contended that west Texas was occupied by "progressives" who thought separation from the Negroes expedient. They claimed that embarrassment over the presence of Negroes would be eliminated by such a separation in an all white conference, although Methodists could still aid the Negro, they argued.<sup>45</sup>

In Texas, representatives from the Freedmen's Aid Society of the northern Methodist Episcopal Church established

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<sup>43</sup>Farish, The Circuit Rider Dismounts, quoting New York Christian Advocate, March 13, 1884.

<sup>44</sup>Emory Stevens Bucke, editor, The History of American Methodism, II (New York, 1964), p. 284.

<sup>45</sup>Wade Crawford Barclay, editor, History of Methodist Missions, Vol. III of Widening Horizons, 1845-95 (New York, 1957), p. 317, citing West Texas Conference, Minutes, 1876, p. 10.

black churches and schools. Joseph Welsh, a northern Methodist minister, organized Negro churches in most of the principal Texas towns. The Society established Wiley College in 1873 at Marshall, and Samuel Huston College in Austin in 1878.<sup>46</sup> Many Texas Methodists opposed the Negro schools and education for Negroes. A Texas teacher reported to the Freedmen's Aid Society that after a black man worked several months for money to attend Wiley, he asked his employer for his wages. Refusing to pay the Negro, the white man said that "none of his money should go to send a nigger to school."<sup>47</sup>

Although Methodists were on the whole opposed to the intellectual rise of Negroes, this did not mean that the churches condoned the mistreatment of blacks. Leading Texas Methodists opposed lynching and felt that Negroes were entitled to a fair trial. The Texas Christian Advocate said:

Whatever crisis may come upon us let us preserve the spirit of Christ, our master. Let neither the persuasions of mis-guided friends, the threats and arrogance of foolish Negroes, nor the aggravating and irritating

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<sup>46</sup>Beverly J. Shaw, The Negro in the History of Methodism (Nashville, 1954), p. 140.

<sup>47</sup>Freedmen's Aid Society of the Methodist Episcopal Church, Reports, 1874 (Cincinnati, 1882), p. 11.

lectures read to us by those who are utterly ignorant of the factors of the problem, hurry us into the commission or countenancing of any wrong act. Remember that the sacred right of self-defense belongs to the Negro as to all, and when in the exercise of that right, he kills a white man, it should arouse no prejudice against him or his race. Remember also that he has a right in all cases to a fair trial before the courts of the country. Remember, above all that he is a brother in Christ, with a right to our sympathy, helpfulness and prayers.<sup>48</sup>

At the end of the century, as whites banded together to eliminate the Negro from all phases of public life, white Methodist's sentiments regarding the Negro were similar to those held by most Texans. Referring to voting qualifications, such as property taxes and intelligence tests, such as those proposed by the North Carolina legislature, the Texas Christian Advocate proclaimed in 1895 that "The white man ought to rule and must rule."<sup>49</sup> Methodists favored eliminating the Negro from politics as did a majority of other Texans. Some Methodists opposed all contacts with Negroes while others did not object to an occasional association with a Negro within the church, such as the white minister of a Methodist church near Dallas who invited a Negro to preach to his congregation. Being severely criticized for this, the Texas Christian Advocate defended the white minister

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<sup>48</sup>Texas Christian Advocate, November 14, 1889.

<sup>49</sup>Ibid., October 17, 1895.

saying that such things had been done "occasionally" to the benefit of those involved.<sup>50</sup> By 1895 the Texas Christian Advocate insisted, though, that Texas Methodists must not cooperate with the northern Methodist "until the negro was eliminated and relegated to an independent and unmixed organization . . . ." <sup>51</sup> Methodists agreed with Baptist that the Negro must be kept in his place.

Racist ideas existed in all Texas churches regardless of the denomination, but only about ten per cent of the Negro church members belonged to denominations other than Baptist or Methodist. The Presbyterians were too intellectual and their services too reserved to appeal to many Negroes.<sup>52</sup> The Episcopalians, who also had a formal service, held little appeal for the Negro. Yet Episcopalians, like the Baptist who did practically nothing for the Negro, frequently mentioned in their records of 1881, 1884, 1887, 1889, and 1890 that a closer relationship with the blacks should be maintained. Episcopalians organized Negro missions in Galveston in 1886 and in Tyler in 1892, but this was the

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<sup>50</sup>Ibid., June 20, 1895.

<sup>51</sup>Ibid., July 18, 1895.

<sup>52</sup>Carter G. Woodson, The History of the Negro Church (Washington, D.C., 1921), p. 84.

extent of the Episcopalians' work with blacks in Texas.<sup>53</sup> Despite the Baptist's fears, the Catholics made little headway with the Negroes because of the emphasis on ritual in their services.<sup>54</sup>

The Negroes in Texas began an exodus from white churches soon after the Civil War, and by 1870 the segregation was completed. The blacks left of their own volition, but their actions were precipitated by the treatment of white churchmen who expected Negroes to be subservient and segregated in church affairs. At first, apprehensive about Negroes banning together in large groups without supervision, white churches soon saw the advantages derived from segregated institutions. Constantly fearing Negro equality, the white's apprehension greatly diminished after the blacks established worship houses because the church constituted the major danger to social mixing. The major Protestant denominations expressed anxiety over the ignorance of Negroes solely because of their belief that education helped ministers preach and congregations read the Bible. The churchmen knew the blacks needed

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<sup>53</sup>DuBose Murphy, "A History of the Protestant Episcopal Church in the Diocese of Texas," unpublished master's thesis, Department of History, University of Texas, Austin, Texas, 1930, pp. 188-189.

<sup>54</sup>Woodson, The History of the Negro Church, p. 85.

instruction and financial aid, yet whites did little for these needy people. Hard work, thrift, and determination accounted for the remarkable accomplishments of the Negro churches. Whites expressed pride over the large number of Negro church members because they felt diligent black Christians added to the general well being of the white man.

Frequently, the whites held God responsible for the separation of the races. Jeremiah B. Jeter wrote in a Baptist paper that God made the blacks and whites repugnant to one another, and, furthermore, he argued that God never commanded these two people to be united in church services.<sup>55</sup> The Almighty made the different races, said one Presbyterian, so it was wicked to change God's design.<sup>56</sup> The religious philisophy of brotherly love became unimportant when a black skin was involved. Texas Christians soothed their consciences with the professed belief that God ordained segregation.

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<sup>55</sup>Spain, At Ease in Zion, p. 52, citing Richmond Religious Herald, August 19, 1869.

<sup>56</sup>Reimers, White Protestantism and the Negro, p. 33, citing Presbyterian Quarterly, IX (July, 1887), p. 147.

## CHAPTER IV

### NEGRO EDUCATION

Lacking opportunities to attend schools, Texas Negroes as a whole were illiterate at the end of the Civil war. Some Negroes, favored by their former master, learned to read and write, and occasionally a mulatto child, such as Norris Wright Cuney, went north for an education; such instances, however, were rare. Eager for an education, a few blacks established schools at the end of hostilities, but these institutions were poorly organized.<sup>1</sup> The Freedmen's Bureau, an agency of the federal government, established Negro schools on plantations, and later on in various Texas towns. These schools were supported in part by student's contributions. In only a few months the bureau established 26 Negro schools with 1600 students, while four years later 95 government schools served 4,188 pupils.<sup>2</sup>

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<sup>1</sup>William R. Davis, The Development and Present Status of Negro Education in East Texas (Concord, New Hampshire, 1943), pp. 31-32, citing The American Missionary Organ of the American Missionary Society, Vol. XI, No. 3, 1867, p. 57.

<sup>2</sup>Frederick Eby, The Development of Education in Texas (New York, 1925), p. 200.

The establishment of black schools encountered tremendous obstacles since most Texans objected to Negro education. Thinking that education would elevate his position in life, the black man eagerly awaited an opportunity to attend school. Texans, fearing an educated Negro, became increasingly intolerant in their attitudes. Black schools operated only in areas occupied by United States troops since the bureau feared that black schools in unprotected areas might prove unfeasible.<sup>3</sup> The lack of teachers for Negro schools created difficulties since Texans refused to train blacks for teaching, but the American Missionary Association supplied northern teachers for the bureau's Texas schools. Living in Texas presented many problems for these school-mistresses who were "socially ostracized, insulted, harassed . . . and at times subjected to harsher treatment."<sup>4</sup> Frequently German families, who remained loyal to the union, were the only ones to open their homes to these Yankee teachers.<sup>5</sup> Those Texans who did not oppose Negro education had various

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<sup>3</sup>J.B. Kiddoo to Oliver O. Howard, July 23, 1866, House Executive Documents, 39th Congress, 2d Session, No. 65 (Washington, 1866), p. 4.

<sup>4</sup>Eby, The Development of Education in Texas, pp. 264-265.

<sup>5</sup>Davis, Negro Education in East Texas p. 31, citing The American Missionary Organ of the American Missionary Society, Vol. XI, No. 4, 1867, p. 103.



motives. Thinking that education would encourage blacks to study the scriptures, some Baptists thought Negroes should learn to read.<sup>6</sup> Although a few planters offered buildings for schools while others donated land,<sup>7</sup> General J. B. Kiddoo, assistant commissioner of the Freedmen's Bureau in Texas, claimed that those planters supported Negro schools only because educated blacks would be more "profitable laborers."<sup>8</sup>

In addition to the Freedmen's Bureau, several northern philanthropic organizations aided Negro education in Texas. The northern Methodist Episcopal Church founded Wiley College in Marshall in 1873 and West Conference Seminary in Austin in 1878.<sup>9</sup> Nathan Bishop of New York City gave the northern American Baptist Home Mission Society \$10,000 and later subsequent gifts of money for the establishment of Bishop

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<sup>6</sup>Spain, At Ease in Zion, p. 85.

<sup>7</sup>Oliver O. Howard to Ulysses S. Grant, November 1, 1867, United States War Department, Annual Report, X, 685.

<sup>8</sup>J. B. Kiddoo to Oliver O. Howard, July 23, 1866, House Executive Documents, 39th Congress, 2d Session, No. 65 (Washington, 1866), p. 4.

<sup>9</sup>Crum, The Negro in the Methodist Church, pp. 63-64, 66.

College in Marshall, Texas in 1881.<sup>10</sup> The George F. Peabody Education Fund contributed money for the support of white and black public schools in Texas towns as well as for the establishment of Sam Houston Normal School at Huntsville.<sup>11</sup> Texas blacks benefited in many ways from the \$1,000,000 which John F. Slater made available in 1882 to promote Negro education in the south.<sup>12</sup> Bishop College, for example, received \$1,500 annually from the Slater fund.<sup>13</sup>

The schools established by the Freedmen's Bureau in Texas attracted only Negroes, thus establishing a precedent of segregated education in the state. Since whites abhorred the idea of mixed schools, Texas schools were never integrated, and philanthropic societies continued this policy of segregated schools. The provisions in the Texas Constitution of 1866 which designated public school funds solely for the benefit of white children revealed the extent of opposition

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<sup>10</sup>The Baptist Home Mission Monthly, XVII, No. 5, pp. 177-179.

<sup>11</sup>Trustees of the Peabody Education Fund, Proceedings, 1874-1881, Vol. II (Cambridge, 1882), pp. 112-116, 228-230.

<sup>12</sup>United States Bureau of Education, Report of the Commissioner of Education for the Year 1894-1895, Vol. II (Washington, 1896), pp. 1416-1417.

<sup>13</sup>The Baptist Home Mission Monthly, XVIII, No. 5, p. 180.

in the state toward Negro education.<sup>14</sup> Supposedly benefiting Negroes too, this constitution stated that taxes collected from blacks could be used for the education of "Africans and their children."<sup>15</sup> Since few Negroes owned property at this time, the ex-Confederates in the convention knew the improbability of establishing black schools with state money. Adopting a new constitution for Texas in 1869, Republican and Negro leaders also failed to mention integrated schools.

Texans thought the educational provisions in the 1869 constitution disastrous even though no stipulations required racially mixed schools. Requiring all children between the ages of six and eighteen to attend free public schools, the constitution also allocated one-fourth of all tax revenue for the school fund.<sup>16</sup> Many white Texans objected to these laws because state tax money would benefit the Negro. Some Texans showed their displeasure over provisions for Negro education through violent deeds. The state

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<sup>14</sup>John Sayles, compiler, The Constitutions of the State of Texas, 3rd ed. (St. Louis, 1888), p. 328.

<sup>15</sup>Gammel, The Laws of Texas, Art. X, Sect. 7, V, 883-884.

<sup>16</sup>Sayles, The Constitutions of the State of Texas, Art. IX, Sect. 1, 5, 6, pp. 440-442.

superintendent of public schools, J. C. DeGress, reported the beating of a white teacher of Negroes in Bastrop and the burning of a Negro school near Calvert. Finding houses and teachers for Negro schools proved difficult, DeGress reported further.<sup>17</sup> Regardless of all these problems, free public schools opened to all children on September 4, 1871, for the first time in Texas' history.<sup>18</sup>

Democrats regained control of the state government in 1874, and demands for a new constitution soon came from all sections of the state. The new constitution, drafted and adopted in 1876, formalized by law the complete segregation of races in the schools. Article seven of that document required separate schools for black and white children but specified that schools be equal in all respects.<sup>19</sup> Thus the Constitution of 1876 put a legal stamp on the Texan's custom of segregating black and white schools.

Harmful to all Texas school children was the School Law passed by the legislature on August 19, 1876. This law

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<sup>17</sup>Davis, Negro Education in East Texas, pp. 11-14.

<sup>18</sup>J. C. DeGress to John Eaton, Jr., October 28, 1871, United States Bureau of Education, Report of the Commissioner of Education, 1871, pp. 350-351.

<sup>19</sup>Gammel, The Laws of Texas, Art. VII, Sect. 7, V, 811.

eliminated compulsory school attendance, while only children between eight and fourteen years of age could receive the benefits of free schools. Damaging educational opportunities still further, this law failed to specify the number of days in each school year.<sup>20</sup> Furthermore, the law forbade the use of white school houses by Negro children and Negro school buildings by whites.<sup>21</sup> Obviously whites would not use the inferior buildings that housed black schools, so this provision of the law precluded blacks from school buildings used by whites and saddled Texas with the necessity of supporting two sets of schools in each area if Negroes were to obtain an education.

The most disastrous provision of this school law for both black and white children concerned the establishment of the community system. Under this provision, schools were established voluntarily and re-organized annually with the consent of each community, while the organization of Negro schools depended on the discretion of each community. Frequently schools were moved from place to place each year due to local quarrels. The community system forbade the

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<sup>20</sup>Ibid., Sect. 19, VIII, 1037.

<sup>21</sup>Ibid., Sect. 53, VIII, 1045.

assessment of local taxes for the support of educational institutions. The state allocated funds according to the number of school age children in each community.<sup>22</sup> Controlling the school funds, white trustees showed little inclination toward the establishment of black schools equal to those provided for white children. The community system impeded the education of all Texans, especially blacks.

Apparently due to the Democrat's control of the state government and the community system, Texans had less to fear from Negro education after 1876. Black education ceased being important since whites completely controlled the quality and quantity of public education for the Negro.<sup>23</sup> According to one authority, the hostility formerly felt by whites changed in the late seventies to indifference due to the knowledge that black and white children would not mingle in school.<sup>24</sup> Whites were cognizant of the fact that inferior Negro schools could not produce students who would menace the position of the white man.

The Negroes of the state met in a convention at Austin in 1883 to protest, among other things, some of the evils

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<sup>22</sup>Ibid., Sect. 29, VIII, 1041-1043.

<sup>23</sup>Spain, At Ease In Zion, p. 87.

<sup>24</sup>Davis, Negro Education in East Texas, p. 135.

of the educational system. Blacks accused cities and towns of discriminatory practices in the school systems. The convention claimed that cities and towns refused

. . . to give colored schools the same provision as to character of buildings, furniture, number and grade of teachers appointed mainly on account of their personal relation with the individuals composing the Boards, and not with reference to the peculiar needs of the pupils to be benefitted, neither the fitness of the teacher nor the wishes of patrons.<sup>25</sup>

Not only Negroes complained about educational procedures, but many whites realized that the constitution and the School Law of 1876 had severely crippled the educational processes in the state. Amending the constitution in 1883, a property tax of twenty cents on a one-hundred dollar valuation was levied for the benefit of the school. The amendment further provided for a school term of six months and for the organization of counties into school districts in which local taxes could be levied for the building and maintenance of schools.<sup>26</sup> The following year an additional school law provided increased benefits for students, but white and black students still had to be taught in separate schools and "in no case shall any school consisting partly of white and partly of colored children receive any aid from

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<sup>25</sup>Texas State Convention of Colored Men, 1883, Proceedings, p. 14.

<sup>26</sup>Gammel, The Laws of Texas, Sect. 1, 3, IX, 440.

the public school fund."<sup>27</sup> Except for the section requiring segregation, these laws benefited all students since more money would supposedly be spent on education.

Although these school reforms appeared beneficial to students, many injustices still existed in the system. John B. Rayner, a Negro who actively campaigned for the Populists in 1896, probably gave an accurate description of Texas schools when he said that "the free school system of Texas was a mental blight, a conscience paralyzer, and a soul destroyer."<sup>28</sup> Governor Lawrence Sullivan Ross, in a message to the twentieth legislature on April 16, 1888, said, "I believe that this whole question of education should be put through a most searching inquisition . . . ." He further stated that some communities had not spent tax money appropriated for them by the state, but had carried the money over from year to year. Ross estimated that this unused money amounted to approximately half a million dollars. Furthermore, he stated that in some instances the school fund had been "used in private business ventures, while the officers of the State are powerless to prevent it or apply a corrective for so palpable a misapplication of public

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<sup>27</sup>Ibid., Sect. 7, IX, p. 572.

<sup>28</sup>Jack Abramowitz, "John B. Rayner--A Grass-Roots Leader," The Journal of Negro History, XXXVI (April, 1951), p. 192.



money."<sup>29</sup> If white trustees appeared reluctant to spend money on white children, given the attitude of Texas whites, Negro children's schools must have been neglected to an even greater extent.

In some respects the educational system in the nineties proved to be more advantageous for the Negroes than before. For the first time in Texas, a law passed on May 20, 1893, gave the management of Negro schools to black trustees, and in each school district these trustees directed the spending of funds allocated each year by the state for Negro students.<sup>30</sup> In 1895 this law further explained the exact procedure for the trustee's election and the distribution of school funds to blacks and whites.<sup>31</sup> These laws constituted a major boost for Negro education in Texas and could reasonably have led to equal, although separate, schools for Negroes. Unfortunately, as the color line became more firmly established at the end of the century, the Negroes lost the advantages gained from these laws. In 1899 both houses of the legislature passed a law, with but one vote in the Senate against it,

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<sup>29</sup>Sinclair Moreland, editor, Governor's Messages, Coke to Ross, 1874-1891 (Austin, 1816), p. 612.

<sup>30</sup>Gammel, The Laws of Texas, Sect. 58, X, 628.

<sup>31</sup>Ibid., Sect. 1, 58, X, 759-760.

which declared that only three trustees could be elected in each school district, because the former statute had proved unsatisfactory.<sup>32</sup> Once again white trustees made all decisions concerning the management of schools for the blacks.

The condition of Negro education in post-war Texas can best be understood from the use of some statistics on this period. In 1870 ninety per cent of the blacks were illiterate, and by 1895 slightly more than one-half could not read or write.<sup>33</sup> In 1885, 2,921 black teachers taught 123,860 students, yet ten years later the number of teachers decreased by 400 although the students increased by 10,860.<sup>34</sup> A comparison of the number of secondary schools for blacks and whites showed Texan's lack of concern for anything more than the rudiments of education for Negroes. Establishing only seven schools for blacks by 1895, Texans supported 95 secondary schools for white children.<sup>35</sup> Inequalities

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<sup>32</sup>Ibid., Sect. 1, XI, 47-48.

<sup>33</sup>Eby, The Development of Education in Texas, p. 157; United States Bureau of Education, Report of the Commissioner of Education, 1894-1895, II, 1333.

<sup>34</sup>Moreland, Governor's Messages, Coke to Ross, 1874-1891, II, 1332; United States Bureau of Education, Report of the Commissioner of Education, 1894-1895, II, 1332.

<sup>35</sup>Davis, Negro Education in East Texas, p. 50.

existed also in the amount of school property owned by whites and blacks. One-third of the school children were Negroes, yet only one-seventh of the school property belonged to blacks in 1895.<sup>36</sup>

A shortage of money, teachers, and school buildings resulted in inferior education for Texas Negroes. Being poorly prepared in the public schools, Negro college students had to obtain the most elementary fundamentals of education in Texas' institutions of higher learning.<sup>37</sup> The Baptist Home Mission Monthly reported that Texas had

. . . about 7,000 schools for the colored people under State management and support. By far the larger part of these are in the country districts, where the average term of school falls below five months in the year. The schools are poor and the teaching inferior. Some few of the city schools are good. Adequate provision by the State for supplying teachers for these 7,000 schools are almost wholly wanting. One so-called normal school Prairie View is supported, but the work done there is almost wholly academic. A few "summer Normals" are held, but no real normal work is done in them. The papers set for certificates require very little knowledge of the principles or the best methods of teaching.<sup>38</sup>

Texans did not establish higher educational facilities for whites or blacks until 1876. In that year, Texas

<sup>36</sup>Ibid., p. 46.

<sup>37</sup>Ibid., p. 114.

<sup>38</sup>The Baptist Home Mission Monthly, XVIII, No. 5, p. 180.

Agricultural and Mechanical College at College Station became the first public institution of higher learning for white youths.<sup>39</sup> This college owed its existence to Congress, who donated to Texas one hundred and eighty thousand acres of land for the support of an agricultural college. In connection with A & M, Alta Vista Agricultural College opened in Waller County near Hempstead for black youths. Establishment of this school for Negroes protected Texas in the event the federal government objected to the barring of blacks from the all-white institute of higher learning at College Station. Negro youths in the late seventies apparently lacked interest in studying agriculture in college, so due to the shortage of students, the legislature changed Alta Vista to Prairie View Normal School for the training of Negro teachers.<sup>40</sup>

The Constitution of 1876 stated that "the Legislature shall also when deemed practicable, establish and provide

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<sup>39</sup>Clarence Ousley, History of the Agricultural and Mechanical College of Texas, Bulletin No. 8 (College Station, Texas, 1935), pp. 35-36, 38.

<sup>40</sup>Frederick Eby, Education in Texas, Source Materials, Bulletin, No. 1824 (Austin, 1918), pp. 756-757, citing Governor Oran M. Roberts, General Message on the Judiciary, Education, the Department of Insurance, Statistics and History, Railroads, etc., to the Seventeenth Legislature of the State of Texas, January 11, 1881, pp. 9-15.

for the maintenance of a College or Branch University for the instruction of the colored youths of the State, to be located by a vote of the people . . . ."41 Yet nothing was done toward the establishment of Negro university until the election on November 7, 1882, at which time the voters selected Austin as the site for the proposed school. Three years later the black university still had not been established, so R. J. Moore, a Negro representative from Washington County, introduced a resolution requesting that the legislature make funds available for the school, but nothing developed from this request. In 1897 the legislature allocated 100,000 acres of the public domain toward the endowment of a black university, but, according to Brewer, the Texas Supreme Court declared that the public domain had been depleted.<sup>42</sup> Not until 1947 did Texans establish Texas State University for Negroes, so Prairie View had "to assume multiple responsibilities for none of which it was adequately equipped."<sup>43</sup>

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<sup>41</sup>Gammel, The Laws of Texas, Art. VII, Sect. 14, VIII, 812.

<sup>42</sup>Brewer, Negro Legislators of Texas, pp. 83, 92, 108, Brewer's claim that the legislature passed a law in 1897 is verified in Vernon's Annotated Constitution of the State of Texas, Vol. II (Kansas City, Missouri, 1955), p. 435; however, after extensive research the author could not verify Brewer's contention that the Texas Supreme Court ruled regarding the depletion of the public domain.

<sup>43</sup>Davis, Negro Education in East Texas, p. 129.

During the latter part of the nineteenth century, industrial education surpassed academic education in importance for the Negro. Many people favored the educating of blacks for manual labor, as the white man would in time benefit from this type of training. A report by the United States Commissioner of Education stated that by 1895 the significance of industrial training seemed to be "almost universally recognized by teachers of the colored race, and the negroes themselves are beginning to see its value."<sup>44</sup> Delighting the hearts of many white men, Booker T. Washington, the president of Tuskegee Institute, spoke to the trade exposition at Atlanta, Georgia in 1895. He said:

Our greatest danger is that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the productions of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and glorify common occupations of life. No race can prosper till it learns that there is as much dignity in tilling a field as in writing a poem. It is at the bottom of life we Negroes must begin, and not at the top.<sup>45</sup>

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<sup>44</sup>United States Bureau of Education, Report of the Commissioner of Education, 1894-1895, II, 1336.

<sup>45</sup>Booker Taliaferro Washington, Up From Slavery, An Autobiography (New York, 1934), p. 220, a search by the author in two of the leading newspapers of the state, the Galveston News and the Dallas Morning News, failed to disclose any mention of Washington's speech in 1895.

Tremendously impressing the white man across the nation with this speech, Washington orally expressed approval of ideas already put in practice by whites. In 1895 the educational report for the nine Texas colleges revealed that 22 Negroes registered for professional courses, either theology or nursing, whereas 460 students registered for industrial courses such as cooking, sewing, carpentry, shoemaking, and bricklaying.<sup>46</sup> The Negro's attitude toward manual training appeared unimportant since most of the funds for Negro education came from the white man. One author contends that Texas blacks believed that "industrial education was being forced upon them in order to keep them in the field of manual labor."<sup>47</sup>

Segregated schools, first established by the Freedmen's Bureau for Texas Negroes, remained segregated during the radical Republican's control of the government and for the remainder of the century under the Democrats. The Constitution of 1876 required that black schools be equal though segregated, but they never were equal. Reluctant to spend money on the education of his own children, the white man neglected the

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<sup>46</sup>United States Bureau of Education, Report of the Commissioner of Education, 1894-1895, II, 1336, 1352.

<sup>47</sup>Davis, Negro Education in East Texas, p. 117.

black child's education even more. Some Texans still opposed Negro education in the last decade of the century, but most leaders of the state supported Negro education to some extent. The motives of these people varied, but seldom did Texans manifest a true concern for the uplifting of the Negro for his own good. More frequently, advocates of Negro education expected benefits for the white man in some way. Since the economy of the state depended on a one-crop system, cotton, Texas seemed "tied by indis severable bonds to the negro" and realized that black education would be profitable to the whites.<sup>48</sup>

Regardless of the white man's motives, the blacks had an opportunity to attend school and by 1896 a little over half of Texas' Negroes could read and write. Unfortunately for the Texas black man, the movement for industrial education caused the white man to attribute even less importance to Negro intellectual training. Texans no longer felt challenged by Negroes' learning such menial tasks as bricklaying.

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<sup>48</sup>Eby, The Development of Education in Texas, p. 170.



## CHAPTER V

### RACE RELATIONS

Texans had an unwritten agreement that social equality must be resisted at all costs. Many white men justified their beliefs on the fact that God made two distinct races, black and white, and therefore there should be no intermingling. Blacks established segregated churches after the war because whites, fearful of mixing in social situations, refused to give Negroes equal rights in the church. Apprehensive concerning social intercourse, white Texans never attended integrated schools. Perpetration of the superiority of the whites seemed of supreme importance to Texans. Many Texas residents also feared that the Negro, supposedly an amoral creature, would contaminate white society. Believing in the superiority of the white man, secret societies such as the Ku Klux Klan flourished in Texas. The Knights of the Golden Circle, an organization in Texas similar to the Klan, required prospective members to "maintain and defend the social and political superiority of the White race on

this continent; always and in all places to observe a marked distinction between the White and African races . . . ."<sup>1</sup>

Since most Texans were convinced of the Negro's inferiority, social intercourse rarely occurred. Whites who mixed with Negroes usually had something to gain from the situation--especially if the Negro were politically significant to the white man. Picnics and barbecues, frequently given for Negroes, aimed to influence black votes for a particular party. Blacks, at least occasionally, gathered together in "certain" saloons to drink with their white brother. The Brenham Banner in 1878 reported one such gathering in Washington County after a Republican precinct meeting. The group adjourned and headed for the saloon, where the blacks were "tipping glasses just like white folks." "'Confidential Confabulations,' were held and white men put their arms around the necks of big, burly negroes; and, in fact, put themselves on a social equality with them." The Banner felt sure that the blacks knew the reason for the white man's familiarity.<sup>2</sup>

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<sup>1</sup>Ernest Wallace and David M. Vegness, editors, "The Ritual of a Secret Society," Documents of Texas History (Austin, 1963), p. 208.

<sup>2</sup>Galveston Daily News, August 8, 1878, citing the Brenham Banner.

Mingling socially with the white man was unacceptable outside of politics, Texas blacks soon recognized. In a 1873 convention in Brenham, Negroes stated that they were cognizant of the whites' attitudes regarding social relationships between the races. Appearing resigned to the situation, the blacks declared:

We know perfectly well that a man's social relations cannot be made by legislative enactments. We certainly are not so foolish as to imagine that any law could be framed that could effect such an object. We have no disposition to intrude ourselves upon whites . . . .<sup>3</sup>

Eating at hotels and restaurants had not presented a problem for Negroes for several years after the Civil War. At first blacks did not have money to eat in cafes, and then later after signing labor contracts, meals were eaten at home, with friends, or with their employer. Many Negroes, serving as domestics, ate some of their meals in their employer's homes. In some instances employers gave their servants food to take home, perhaps as compensation for their low wages.<sup>4</sup> As time passed, eating out became not only a

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<sup>3</sup>Winkler, Platforms of Political Parties in Texas, p. 149.

<sup>4</sup>Leonard Brewster Murphy, "A History of Negro Segregation Practices in Texas, 1865-1958," unpublished master's thesis, Department of History, Southern Methodist University, Dallas, Texas, 1958.

necessity, occasionally, but desirable. Negroes found that eating facilities in Texas did not welcome the black-skinned man. In an 1883 convention Negroes argued that accommodations at inns, taverns, and hotels should be extended to the black man. Compelling whites to permit blacks to eat "in the same room, at the same table or in the same building" was impossible, the Negroes concluded, but Texas Negroes did demand equal eating accommodations.<sup>5</sup>

Apparently most Negroes acquiesced to separation from whites in eating and drinking establishments, but segregation on railroad coaches seemed reprehensible to many blacks. During Presidential Reconstruction and under Governor Throckmorton's leadership, the legislature passed a law that Texas railroads "be required to attach to each passenger train run by said Company, one car for the special accommodation of Freedmen."<sup>6</sup> During Congressional Reconstruction, however, this policy was abandoned, and a law passed on October 28, 1871 prohibited railroads "from making any distinctions in the carrying of passengers, and all violations of the law

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<sup>5</sup>Texas State Convention of Colored Men, Proceedings, 1883, p. 16.

<sup>6</sup>Gammel, The Laws of Texas, V, 1015.

as herein enacted shall be deemed misdemeanors, and punished on conviction by a fine . . . ."7

Although the Democrats redeemed the state in 1874, Negroes continued to ride in integrated coaches, but as time passed whites demanded the expulsion of Negroes from first class cars and in some instances blacks were forced into segregated coaches. Paying taxes the same as whites, Negroes, in 1883, objected to Texans loaning tax money to railroad companies and then segregating blacks on trains. Negroes claimed that their demand for first class accommodations was not a demand for "social intercourse, but for equality and justice."<sup>8</sup> Difficulties between blacks and whites continued, and in 1885 Governor John Ireland said in an address to the legislature:

I call your attention to the inconvenience and trouble constantly arising between the two races. I submit whether, if the colored race is forced into second-class cars, it would not be proper to demand for them a reduction of fare. The policy of separating the races on the trains will not be questioned.<sup>9</sup>

By the 1880's other states were beginning to pass Jim Crow railroad coach laws. The first such law passed in

<sup>7</sup>Ibid., VII, 18.

<sup>8</sup>Texas State Convention of Colored Men, Proceedings, 1883, pp. 16, 22.

<sup>9</sup>Moreland, Governor's Messages, II, p. 510; author's italics.

Tennessee in 1881, and in 1888 Mississippi required separate but equal cars for Negroes. The Louisville, New Orleans and Texas Railway Company refused to abide by the Mississippi law and appealed to the Supreme Court for a decision. On March 3, 1890 the court upheld the Mississippi law.<sup>10</sup>

Obviously it was only a matter of time until the state of Texas passed laws that would legalize what was becoming the custom--separation of whites and blacks on trains. A bill for separate railroad cars for blacks and whites failed to pass in the Texas legislature in 1889 probably because the Mississippi law was still before the Supreme Court. Norris Wright Cuney wrote two Texas legislators, George W. Bryan and Walter Gresham, protesting the injustice of the segregated railway car bill. Cuney contended that the bill was

. . . uncalled for, unwise, a violation of the rights of property, and a brutal invasion of the rights of a people whose consciences will feel keenly the wrong done them by the "New South" in its effort to reverse fate and check the growth of a broader and better humanity.<sup>11</sup>

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<sup>10</sup>Stanley J. Folmsbee, "The Origin of the First 'Jim Crow' Law," Journal of Southern History, XV (May, 1949), 244.

<sup>11</sup>Maud Cuney Hare, Norris Wright Cuney, A Tribune of the Black People (Austin, 1968), pp. 128-129, 130.

The cry for segregated railroad cars gained momentum in 1890. Meeting at a state convention in San Antonio, the Democrat's platform demanded that the Texas legislature require separate coaches for Negroes.<sup>12</sup> In January of the following year, Governor James Stephen Hogg said that separate coach legislation seemed "regrettable," but that legislators should be loyal to the Democratic platform.<sup>13</sup> Becoming law on April 11, 1891, the first Jim Crow railroad statute in Texas required separate coaches for blacks and whites. This law specified that the facilities for Negroes and whites be separate, equal, and conspicuously marked.<sup>14</sup>

Not content with separate train facilities for blacks and whites, the twenty-fourth legislature in 1895 proposed a bill requiring separate waiting rooms for Negroes. One of the last two Negro legislators to serve in Texas, R. L. Smith from Colorado County, strongly objected to this proposal. The bill failed to pass at this time, but did become law after the turn of the century.<sup>15</sup>

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<sup>12</sup>Winkler, Platforms of Political Parties in Texas, p. 289.

<sup>13</sup>Journal of the Senate of Texas, Twenty-second Legislature, 1st Session (Austin, 1891), pp. 43, 63.

<sup>14</sup>Gammel, The Laws of Texas, X, 44.

<sup>15</sup>Brewer, Negro Legislators of Texas, p. 120.

Not only were Negroes excluded from white railroad coaches, but in some counties whites coerced blacks to leave their homes and move to other counties. Thus, many Texans grew up without seeing a black man. Some of the citizens of Comanche, a county located in the North Central portion of the state, forcibly removed all Negroes in 1886. This action was precipitated by an event that occurred on Saturday, July 24. "Nigger Tom" killed his employer, Sally Stephens, while her husband bought supplies in the town of Comanche. A posse searched, found, and hung Tom on the following Monday. After the hanging, one of the posse, Green Saunders, proposed that all Negroes be expelled from the county. He reasoned that "Negroes were by nature evil, and similar crimes might happen at any time unless some action were taken." Warning the blacks to leave the county by sunset on August 6, 1886, the posse rode to each Negro's "shack." From fear of the white man, all blacks left the county before the deadline date. Extolling the virtues of the county, a pamphlet published by the Comanche Chief commented that the county was "free from this black curse, not by any written statute that she has enacted, but by



an unwritten law which the negroes throughout the length and breadth of the State understand."<sup>16</sup>

Perhaps the one thing Texas whites feared more than any other was that mixing with blacks socially would lead to miscegenation. The Texas legislature passed a law in 1858 prohibiting the marriage of a black to a white within the state. If a white married a Negro outside of the state and moved to Texas later, the marriage partners could be given a prison sentence from two to five years.<sup>17</sup> After the Civil War the Constitution of 1866 reaffirmed that intermarriage between blacks and whites was illegal.<sup>18</sup> Negroes condemned this law because of its effects on the morals of both blacks and whites. Considering marriage between persons of different races a felony, the Texas law required only an insignificant fine for a black and a white living together outside of marriage. "In most cases, . . . parties of the two races thus unlawfully cohabiting were not even

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<sup>16</sup>Billy Bob Lightfoot, "The Negro Exodus From Comanche County, Texas," The Southwestern Historical Quarterly, LVI (January, 1953), 407-416, passim.

<sup>17</sup>Murphy, "A History of Negro Segregation Practices in Texas, 1865-1958," p. 10.

<sup>18</sup>Gammel, The Laws of Texas, V, 1049.

reported, or if reported not punished." Negroes justly complained about the unfairness of these Texas laws.<sup>19</sup>

During reconstruction in Texas the pattern of segregation crystalized, and Texans' antipathy for the Negro became evident immediately after the war in many ways. Schools in the state never integrated. Churches, integrated until the end of the Civil War, segregated between 1865 and 1870 because Negroes refused to remain subservient to whites in church affairs. Pleasing whites also, Negroes then established their own houses of worship. During Presidential Reconstruction, a Texas law prohibited Negroes from riding in railroad cars with whites. Congressional Reconstruction caused a change in this statute, and Negroes who payed for a first class ticket, legally rode with whites. Redeeming the state in 1874, the Democrats left this law on the books, but constant agitation existed between blacks and whites sharing the same coaches. Frequently expelling Negroes from these cars, Texans demanded the permanent separation of blacks in 1890, and the same year the United States Supreme Court upheld the Mississippi decision to segregate trains. The following year Texas safely put a legal stamp on the custom already

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<sup>19</sup>Texas State Convention of Colored Men, Proceedings, 1883, p. 13.

practiced in the state. During the seventies and eighties the pattern of segregation on trains had not crystalized to the extent that Negroes did not occasionally ride in integrated cars, but the Texans' attitudes had crystalized awaiting only the approval of the court.

The white population of Texas seemed determined that racial distinctions would exist in all areas of life. Negroes were never able to marry a white person and live in Texas. C. Vann Woodward admitted that absolutes never existed in segregation even during the reign of Jim Crow,<sup>20</sup> and this proved true in Texas during the last quarter of the century. Only on rare occasions did Negroes eat or drink with whites and usually only in connection with politics.

The fact that Negroes retained their political rights to some extent after the Democrats regained control of the government does not necessarily give credibility to Woodward's theory that the years between 1874 and 1896 were better years for the blacks. Delegates to the constitutional convention in 1875 attempted disfranchisement of the Negro. Seven legislatures endeavored to establish a poll tax to prohibit or at least restrict Negro voting, but several

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<sup>20</sup>Woodward, The Strange Career of Jim Crow, p. viii.

obstacles arose. Texans feared a poll tax might restrict the voting of whites in the lower economic level. Also, many Texans feared that such a tax would not prevent black voting as some unscrupulous whites, eager for votes, might pay the Negro's tax. Since blacks retained the vote, Texans resorted to fraud, white-men's primaries, intimidation, and violence to eliminate Negroes from the city and county elections. Taking a few years to accomplish the desired results, the white man's methods finally proved successful at this political level.

In state politics the white man also searched for methods to control and eliminate the black man's vote. The conservative Republican, objecting to the Negro in the party, bolted and joined the Democrats. After Davis died, the blacks gained control of the Republican party in 1884, and in that same year white Republicans formulated plans to re-gain control of the party. In 1896 Cuney and the blacks lost their hold on the party as the white men successfully overcame the black segment. This effort took time but the Texans were adamant in their efforts to eliminate the black from politics.

The emergence of the Populist party in Texas caused Democrats and Republicans to solicit the Negro vote but

did not change Texans' attitudes about the undesirability of a black voter. The Democrats, feeling their hold on state politics threatened by Populists, campaigned for Negro votes. Hoping once again to gain control of the state government, the Republicans, fusing with the Populist, also welcomed the Negro. Failing to re-capture control of the state government in 1896, yet controlling the party once again, the Lily-White Republicans segregated and relegated the blacks to an inferior position in the party. The Democratic party, never again fearing another political challenge, had no further need for the black voter. At last the Negro voter had been effectively dealt with on the state level. Texans had never found it expedient to elect a Negro judge and rarely called a Negro for jury duty. Only the voting Negro proved difficult to eliminate.

Woodward further conjectured that alternatives to segregation existed, but in Texas this seems questionable. If the state contained liberals, their political beliefs never received expression. Texans who might conceivably be considered conservatives, as far as financial and social position were concerned, may not have advocated Negro rights because of their own humble background. After the Civil War, thousands of southerners from the lower socio-economic

class migrated to Texas from states ravaged by war. These new settlers, acquiring farm land, became active in the Granger Movement and generally supported the concepts of economy and race separation embodied in the Constitution of 1876. Although some rose to positions of importance in the state, these Texans remained apprehensive and squeamish about Negro rights. Therefore, most prominent Texans could not be considered as patronizing exponents of the doctrine of noblesse oblige. The radical alternative, too, proved unsuccessful in Texas since the success of this philosophy depended on the fusing of poor whites, small farmers, and blacks in the state. These whites not only felt threatened socially, but also politically and economically by the Negro. This alternative did not prove acceptable either. Contrary to Woodward's thesis, the Texas Negro's place did not crystalize gradually, and there were no viable alternatives to actual, if not legal, segregation. The determination of the Negro's role in Texas life took a definite form during reconstruction, not during the Gilded Age.

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