

A STRANGER AMONGST STRANGERS: AN ANALYSIS OF THE FREEDMEN'S  
BUREAU SUBASSISTANT COMMISSIONERS IN TEXAS, 1865-1868

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This dissertation is a study of the subassistant commissioners of the Freedmen's Bureau in Texas from late 1865 to late 1868. Its focus is two-fold. It first examines who these men were. Were they northern born or southern? Did they own slaves? Were these men rich, poor, or from the middle-class? Did they have military experience or were they civilians? How old was the average subassistant commissioner in Texas? This work will answer what man Freedmen's Bureau officials deemed qualified to transition the former slave from bondage to freedom. Secondly, in conjunction with these questions, this work will examine the day-to-day operations of the Bureau agents in Texas, chronicling those aspects endemic to all agents as well as those unique to certain subdistricts. The demand of being a Bureau agent was immense, requiring long hours in the office fielding questions and long hours in the saddle inspecting subdistricts. In essence, their work advising, protecting, and educating the freedmen was a never ending one.

The records of the Freedmen's Bureau, both the records for headquarters and the subassistant commissioners, serve as the main sources, but numerous newspapers, Texas state official correspondences, and military records proved helpful. Immense amounts of information arrived at Bureau headquarters from field personnel. This work relies heavily on reports and letters in the Bureau agents' own words. This dissertation follows a chronological approach, following the various Bureau administrations in Texas. I believe this approach allows the reader to better glimpse events as they happened.

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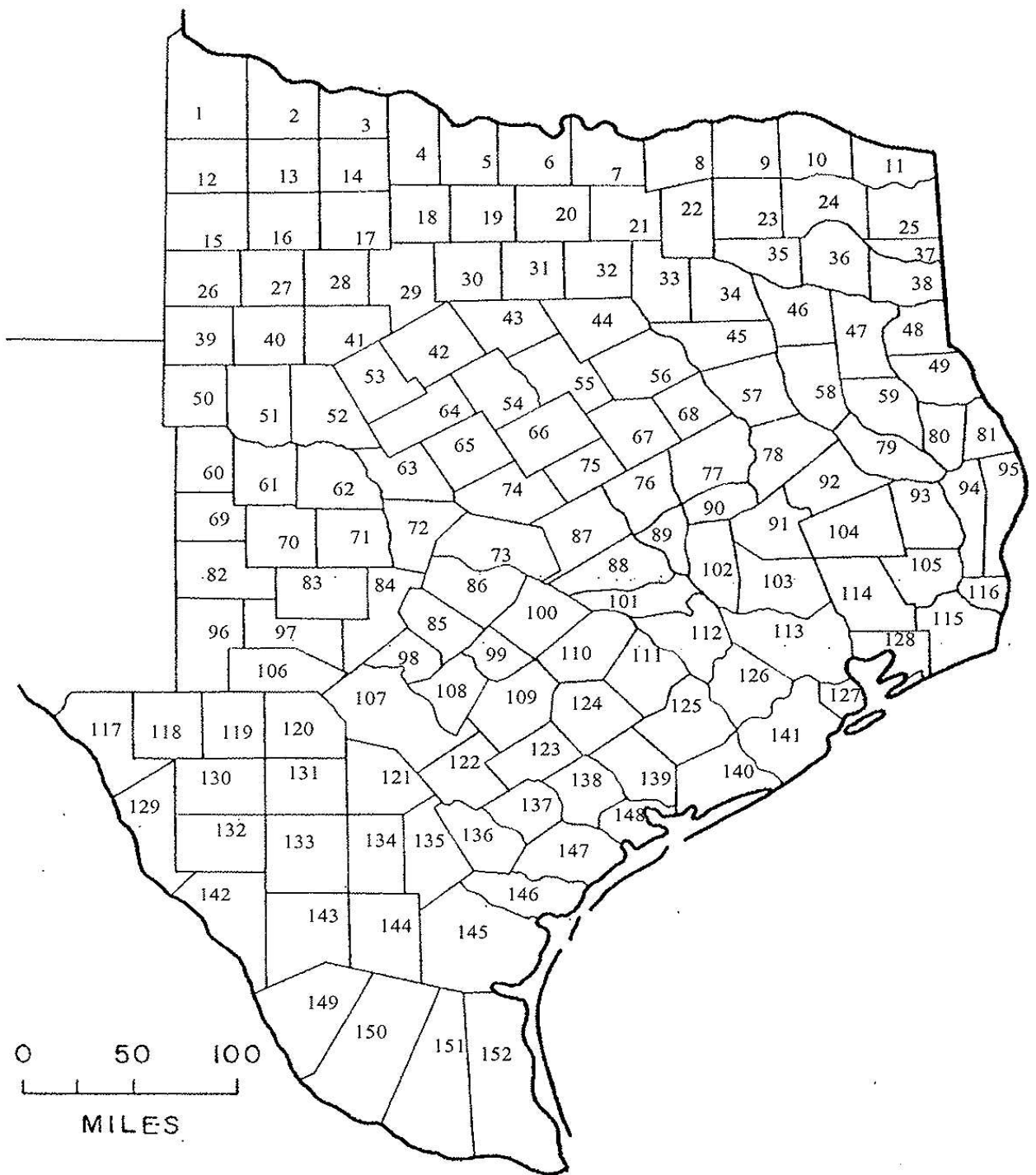
Christopher B. Bean

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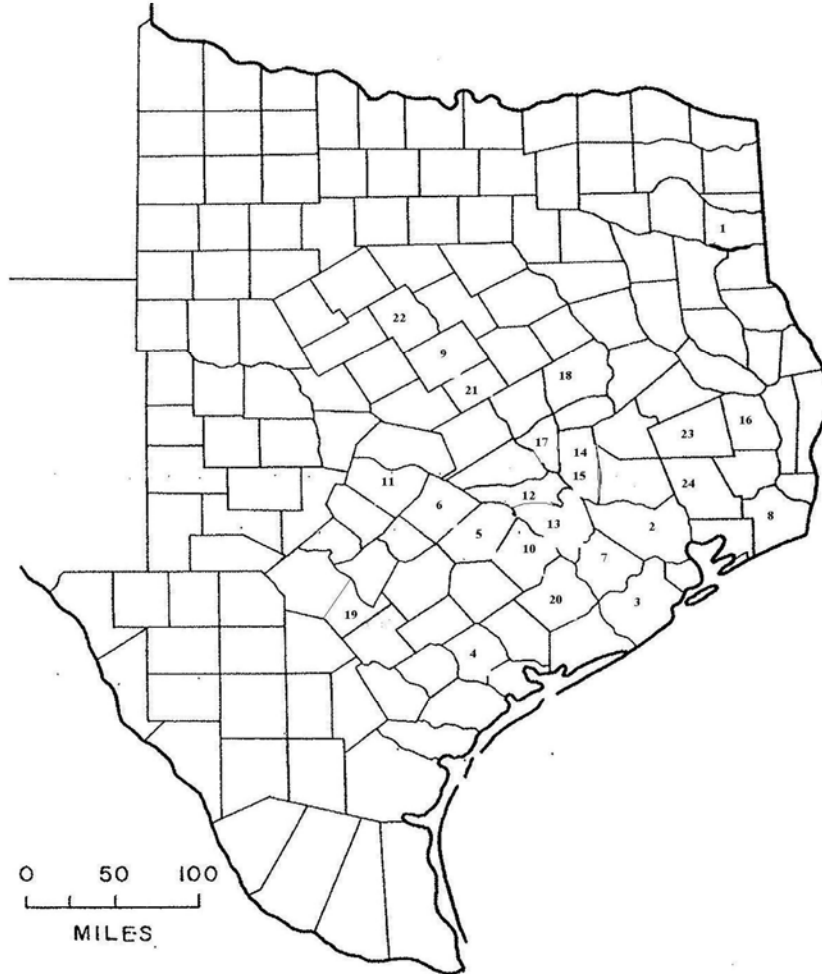
# Texas Counties in 1860

1. Hardeman	56.	Navarro	111.	Colorado
2. Wilbarger	57.	Anderson		112. Austin
3. Wichita	58.	Cherokee	113.	Harris
4. Clay	59.	Nacogdoches	114.	Liberty
5. Montague	60.	Concho	115.	Jefferson
6. Cooke	61.	McCulloch	116.	Orange
7. Grayson		62. San Saba		117. Val Verde
8. Fannin	63.	Lampasas	118.	Kinney
9. Lamar	64.	Hamilton	119.	Uvalde
10. Red River		65. Coryell	120.	Medina
11. Bowie	66.	McLennan	121.	Atascosa
12. Knox	67.	Limestone	122.	Karnes
13. Baylor	68.	Freestone	123.	DeWitt
14. Archer	69.	Menard	124.	Lavaca
15. Haskell	70.	Mason	125.	Wharton
16. Throckmorton	71.	Llano	126.	Fort Bend
17. Young	72.	Burnet	127.	Galveston
18. Jack	73.	Williamson	128.	Chambers
19. Wise	74.	Bell	129.	Maverick
20. Denton	75.	Falls	130.	Zavala
21. Collin	76.	Robertson	131.	Frio
22. Hunt	77.	Leon	132.	Dimmit
23. Hopkins	78.	Houston	133.	La Salle
24. Titus	79.	Angelina	134.	McMullen
25. Davis	80.	San Augustine	135.	Live Oak
26. Jones	81.	Sabine	136.	Bee
27. Shackelford	82.	Kimball	137.	Goliad
28. Stephens	83.	Gillespie	138.	Victoria
29. Palo Pinto	84.	Blanco	139.	Jackson
30. Parker	85.	Hays	140.	Matagorda
31. Tarrant	86.	Travis	141.	Brazoria
32. Dallas	87.	Milam	142.	Webb
33. Kaufman	88.	Burleson	143.	Encinal
34. Van Zandt	89.	Brazos	144.	Duval
35. Wood	90.	Madison	145.	Nueces
36. Upshur	91.	Walker	146.	San Patricio
37. Marion	92.	Trinity	147.	Refugio
38. Harrison	93.	Tyler	148.	Calhoun
39. Taylor	94.	Jasper	149.	Zapata
40. Callahan	95.	Newton	150.	Starr
41. Eastland	96.	Edwards	151.	Hidalgo
42. Erath	97.	Kerr	152.	Cameron
43. Johnson	98.	Comal		
44. Ellis	99.	Caldwell		
45. Henderson		100. Bastrop		
46. Smith		101. Washington		
47. Rusk		102. Grimes		
48. Panola		103. Montgomery		
49. Shelby		104. Polk		
50. Runnels		105. Hardin		
51. Coleman		106. Bandera		
52. Brown		107. Bexar		
53. Comanche		108. Guadalupe		
54. Bosque		109. Gonzales		
55. Hill		110. Fayette		



E. M. Gregory's Subdistrict, March 1866

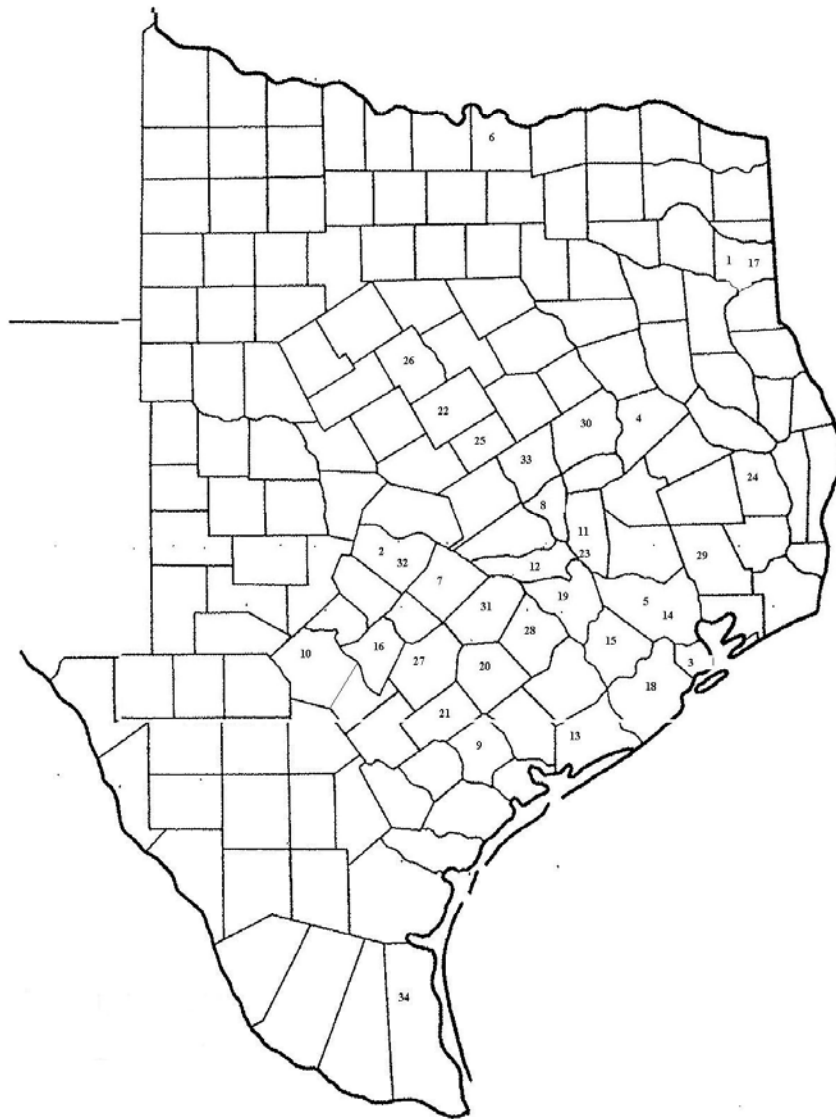
- |                            |                             |                                 |
|----------------------------|-----------------------------|---------------------------------|
| 1. Marshall, Harrison Co.  | 9. Waco, McLennan Co.       | 17. Millican, Brazos Co.        |
| 2. Houston, Harris Co.     | 10. Columbus, Colorado Co.  | 18. Leona, Leon Co.             |
| 3. Columbia, Brazoria Co.  | 11. Austin, Travis Co.      | 19. Sulphur Springs, Wilson Co. |
| 4. Victoria, Victoria Co.  | 12. Brenham, Washington Co. | 20. Wharton, Wharton Co.        |
| 5. La Grange, Fayette Co.  | 13. Hempstead, Austin Co.   | 21. Marlin, Falls Co.           |
| 6. Bastrop, Bastrop Co.    | 14. Anderson, Grimes Co.    | 22. Meridian, Bosque Co.        |
| 7. Richmond, Fort Bend Co. | 15. Courtney, Grimes Co.    | 23. Livingston, Polk Co.        |
| 8. Beaumont, Jefferson Co. | 16. Woodville, Tyler Co.    | 24. Liberty, Liberty Co.        |



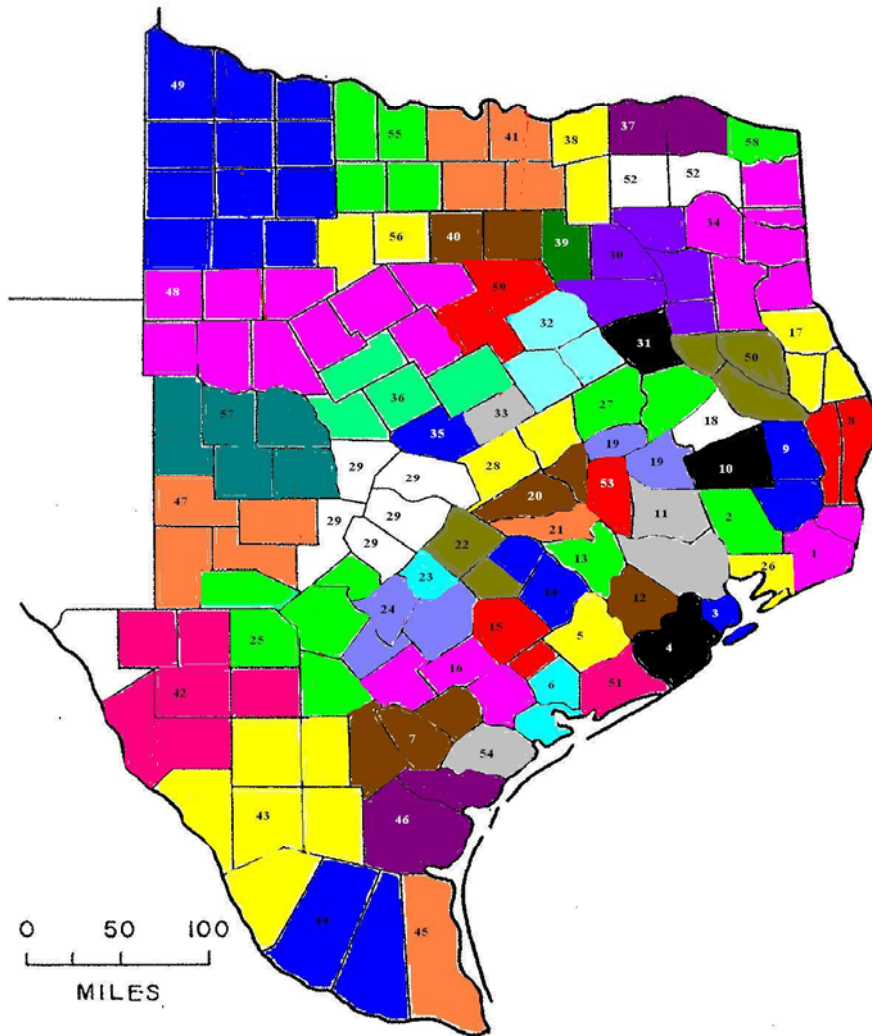
## J. B. Kiddoo's Subdistricts, September 1866

1. Marshall, Harrison Co.
2. Austin, Travis Co.
3. Galveston, Galveston Co.      20.
4. Crockett, Houston Co.      21.
5. Houston, Harris Co.
6. Sherman, Grayson Co.
7. Bastrop, Bastrop Co.      24.
8. Millican, Brazos Co.
9. Victoria, Victoria Co.
10. San Antonio, Bexar Co.
11. Courtney, Grimes Co.
12. Brenham, Wash. Co.
13. Matagorda, Matagorda Co.
14. Houston, Harris Co.
15. Richmond, Fort Bend Co.
16. Seguin, Guadalupe Co.
17. Marshall, Harrison Co.
18. Leona, Leon Co.
19. Sulphur, Springs Wilson Co.  
    Wharton, Wharton Co.  
    Marlin, Falls Co.
22. Meridian, Bosque Co.
23. Livingston, Polk Co.  
    Liberty, Liberty Co.



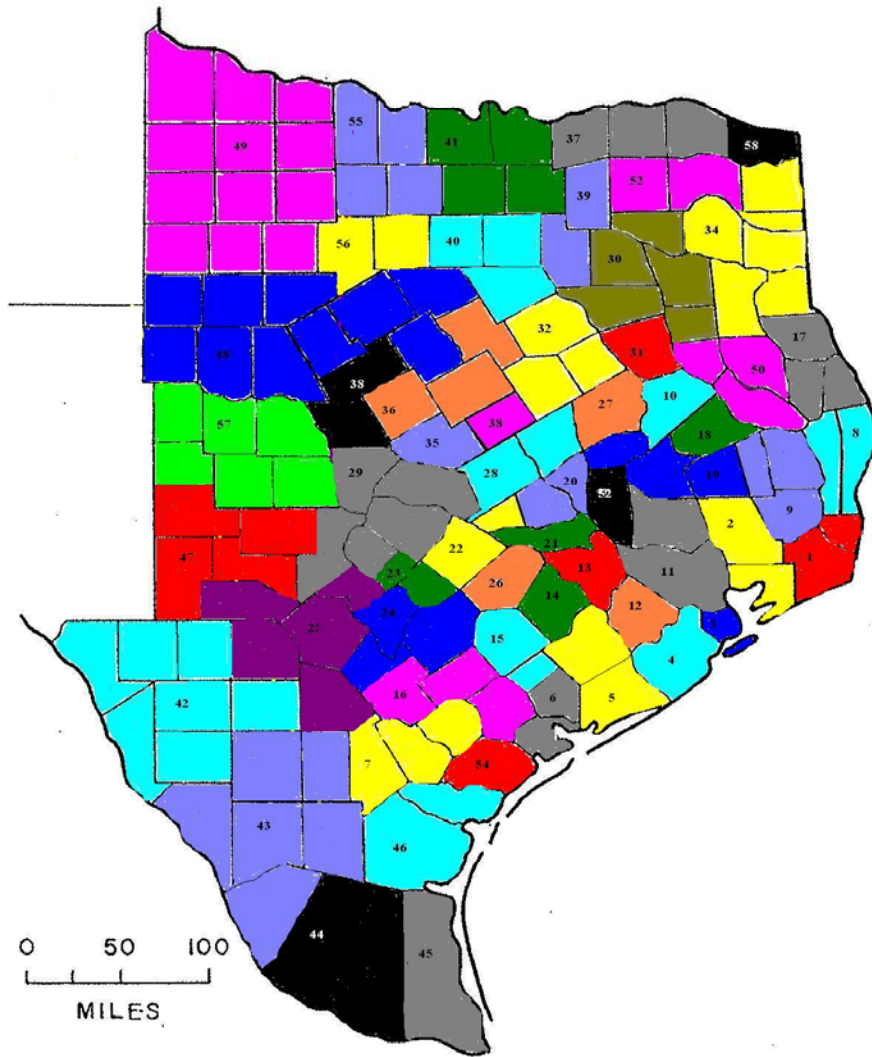


# Charles Griffin's Subdistricts, July 1867



# J. J. Reynolds' Subdistricts, November 1867\*

(\*According to Bureau Records, Subdistrict 51 did not exist in November, 1867.)



## INTRODUCTION

Few eras in American history have had a more profound and lasting imprint on this country as the decade or so that followed the Civil War. Reconstruction, as this period is called, was an attempt to wipe away the vestiges of slavery and to reintegrate the former Confederate states into their normal places in the Union. The North's version of republicanism and democracy shaped its efforts to rebuild the region. Although this effort targeted white southerners in some ways, it primarily focused on the nearly four million freed slaves. The freedmen, as they came to be called, were to carry on the principles of the Republican party and unionism. By infusing the ideals of "free men, free soil, and free labor" into the former Confederate states, northern Republicans hoped the South would be shaped in the image of the victorious Union states. With this infusion, it was hoped, the foundation for a southern Republican party could be laid and all remnants of the old order erased.

Central to this restructuring was an organization created with much hope and optimism on March 3, 1865. The first federal social-welfare organization in the United States, the Bureau of Refugees, Freedmen, and Abandoned Lands, which functioned under the auspices of the War Department, operated in all the former Confederate states and former slave states and had what most historians see as a multipurpose task: easing the transition of the freedmen from servitude to freedom; implanting republican ideals of democracy and free labor in the ashes of the "peculiar institution," and preventing any further attempts to break up the Union.

Legislators wrestled with exactly how to arrange and empower the Freedmen's Bureau (or the Bureau, which contemporaries commonly called it). Congressmen James Brooks of New York and William D. Kelley from Pennsylvania worried that this organization might create a permanent dependent class and new system of vassalage. A leading Republican senator, Henry

Wilson of Massachusetts, was concerned the agency might disrupt the balance between the federal government and the states. Senator Thaddeus Stevens of Pennsylvania saw the Freedmen's Bureau as a tool to influence and control black votes, while Senator Lazarus Whitehead Powell of Kentucky likened Bureau agents to "overseers" and "negro drivers," and noted how this agency might "reenslave" and control the freedpeople. Still others, including William Henry Wadsworth of Kentucky, doubted the constitutionality of such an organization, and Samuel Clarke Pomeroy, the Radical Republican senator of Kansas, worried about the Bureau's permanency. Midwestern politicians, like James W. Grimes and Lyman Trumbull from Iowa and Illinois respectively, hesitated to support the organization because of their suspicion toward northeastern interests. With little consensus and much uncertainty on how to address the needs of the former slaves, Congress was essentially experimenting. Ohio Congressman Robert C. Schenk, contemplating the debate on the organization to oversee the four million former slaves, admitted this "is experimental legislation." He continued:

it is better, from the very nature of the case, as it is a matter which relates to an emergency, to a necessity, to an accident, as it were of the times and the condition of the war in which we are, that the system should build itself up and grow by accretion and development according to the necessities as they arise or are found to exist . . . If you attempt to provide in advance for every particular thing, if you have complicated machinery in this bill, or simple machinery even, running so much into detail, you run the risk of not accomplishing the object you seek, but, on the contrary, the further risk of defeating the very object which you are engaged in by raising endless questions as to the meaning or application of this particular provision of this law.<sup>1</sup>

In short, the Bureau "must be left to the discretion of those engaged in [the footwork], as all such things always are."<sup>2</sup>

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<sup>1</sup> *Congressional Globe*, 38<sup>th</sup> Congress, 2<sup>nd</sup> Session (Washington, D.C.: Blair and Rives, 1866), 692, 689-691, 959-960, 1308; Ira C. Colby, "The Freedmen's Bureau: From Social Welfare to Segregation," *Phylon* 46 (3<sup>rd</sup> Qtr., 1985): 220-221; George R. Bentley, *A History of the Freedmen's Bureau* (Philadelphia: University of Pennsylvania, 1959), 35-38.

<sup>2</sup> *Ibid.*

Without rigid guidelines and with less than clear “objectives” and “mandates,” Bureau officials had to fill in the void. Much of their policy, consequently, resembled the Freedmen’s Bureau bill itself – vague and, at times, confusing. Orders, letters, and instructions, which often times were open to interpretation, filtered down the chain of command to the men in the field. In his *Autobiography* the commissioner of the Bureau, O. O. Howard, wrote that he resisted “one minute system of rules” for the entire South. Instead, he wanted subordinates within each state to improvise and adapt as problems and challenges developed. Superiors created a very decentralized and fluid system, and in the end, how orders would be interpreted, implemented, and enforced generally fell to the Bureau officers in the field, the men in daily contact with local southern civilians. On the one hand, this allowed for quick, decisive moves as well as ingenuity in solving problems. But it also helped create much indecision, confusion, and unnecessary problems for field agents. Within their respective areas, these officials truly were “The Bureau.” “The local agents, whose function it was to apply the general policy of the bureau to concrete cases,” wrote historian William A. Dunning, “displayed, of course, the greatest diversity of spirit and ability. It was from these lower officials that the southern whites formed their general estimate of the character and value of the institution, while the people of the North were guided more by the just and practical policy outlined in the orders from headquarters.” Efficacy and success (or the lack thereof), therefore, rested, to a large extent, with the individual Bureau agents (officially known as subassistant commissioners).<sup>3</sup>

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<sup>3</sup> O. O. Howard, *Autobiography of Oliver Otis Howard*, 2 vols. (New York: The Baker and Taylor Company, 1908), 2:363; William A. Dunning, *Reconstruction, Political and Economic, 1865-1877* (New York: Harper and Row Publishers, 1907), 33; William S. McFeely, *Yankee Stepfather: General O. O. Howard and the Freedmen* (New York: W. W. Norton and Company, 1968), 84; Paul A. Cimbala and Randall M. Miller, eds., *The Freedmen’s Bureau and Reconstruction: Reconsiderations* (New York: Fordham University Press, 1999), xvi; Victoria Olds, “The Freedmen’s Bureau as a Social Agency” (Ph. D. diss., Columbia University, 1966), 82-83, 219; Louis Henry Bronson, “The Freedmen’s Bureau: A Public Policy Analysis” (D.S.W. diss., University of Southern California, 1970), 282-283.

In its brief seven-year existence, the Freedmen's Bureau became the epicenter of the debate about Reconstruction. Cognizant of the Bureau's responsibilities and what that meant politically, economically, and, possibly, socially, Republicans and Democrats fiercely debated its necessity. Just below the surface of many Reconstruction frays rested the Bureau issue. Throughout the years, students have highlighted the Bureau's features, from its general history to relations with planters, from educational efforts to land policy and legal matters. One facet of this organization, however, has received only passing notice by the academic community until recently: the subassistant commissioners (SACs), the agents at the county level. In the last three decades or so, scholars have begun to focus on the men historian Barry Crouch termed the "hearts of Reconstruction." A number of these writers have examined only the experiences and attitudes of individual subassistant commissioners and have often neglected other significant questions.<sup>4</sup>

This dissertation will examine the agents in Texas and show their experiences in the Lone Star State. This work will further focus on questions concerning the agents at a more personal level, adding substance to the usual hollow outline. Were they southern or northern born? Were these men poor, middle-class, or wealthy? Were they married or single? Did the Bureau prefer young, middle-age, or older men as agents? Did these men have military experience or were they civilians? What occupations did the Bureau draw from? The answers to these questions will help us understand the type of man Bureau officials believed qualified – or not qualified – to oversee the freedmen's transition to freedom.<sup>5</sup>

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<sup>4</sup> Barry A. Crouch, "Guardian of the Freedpeople: Texas Freedmen Bureau Agents and the Black Community," *Southern Studies: An Interdisciplinary Journal of the South* 3 (Fall 1992): 185.

<sup>5</sup> For studies specifically focusing on the subassistant commissioner, some specifically, others peripherally, see Ted Tunnell, ed., *Carpetbagger from Vermont: The Autobiography of Marshall Harvey Twitchell* (Baton Rouge: Louisiana State University Press, 1989); Ted Tunnell, *Edge of the Sword: The Ordeal of Carpetbagger Marshall H. Twitchell in the Civil War and Reconstruction* (Baton Rouge: Louisiana State University Press, 2001); William A.

During their time in office, men of the Freedmen's Bureau elicited varied reactions from the public. This trend continued beyond Reconstruction. Where contemporaries left off, the academic community picked up, and the discussion of the subassistant commissioner's role and effect, at times, became as heated as any political debate during Reconstruction. The first scholarly treatments concerning the Freedmen's Bureau began appearing at the turn of the 20<sup>th</sup> century. These primarily focused on the Bureau as a whole and dealt with Bureau agents only peripherally. In these works agents were seen as avaricious "carpetbaggers," ignorant in the ways of a docile black populace. Like vultures, they descended upon a prostrate South in its most vulnerable time and antagonized the freedmen against their former masters, all the while benefitting from this tumult politically.<sup>6</sup>

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Campbell, ed., "A Freedmen's Bureau Diary by George Wagner," *Georgia Historical Quarterly* 48 (June 1964): 196-214; William A. Campbell, ed., "A Freedmen's Bureau Diary by George Wagner," *Georgia Historical Quarterly* 48 (September 1964): 333-359; Ruth Currie-McDaniel, *Carpetbagger of Conscience: A Biography of John Emory Bryant* (New York: Fordham University Press, 1999); Cecil Harper, Jr., "Freedmen's Bureau Agents in Texas: A Profile" (unpublished manuscript, Texas State Historical Association, 1987); Russell Duncan, *Tunis Campbell, Freedom's Shore: Tunis Campbell and the Georgia Freedmen* (Athens: University of Georgia Press, 1986); James M. Smallwood, "Charles E. Culver, A Reconstruction Agent in Texas: The Work of Local Freedmen's Bureau Agents and the Black Community," *Civil War History* 27 (December 1981): 350-361; James M. Smallwood, "G. T. Ruby: Galveston's Black Carpetbagger in Reconstruction Texas," *Houston Review* 5 (Winter 1983): 24-33; Thomas H. Smith, "Conflict and Corruption: The Dallas Establishment vs. the Freedmen's Bureau Agent," *Legacies: A History Journal for Dallas and North Central Texas* 1 (Fall 1989): 24-30; William L. Richter, "The Revolver Rules the Day!": Colonel DeWitt C. Brown and the Freedmen's Bureau in Paris, Texas, 1867-1868," *Southwestern Historical Quarterly* 93 (January 1990): 303-332; William L. Richter, "'This Blood-Thirsty Hole': The Freedmen's Bureau Agency at Clarksville, Texas, 1867-1868," *Civil War History* 38 (March 1992): 51-77; William L. Richter, "'A Dear Little Job': Second Lieutenant Hiram F. Willis, Freedmen's Bureau Agent in Southwestern Arkansas, 1866-1868," *Arkansas Historical Quarterly* 50 (Summer 1991): 158-200; John Edmund Stealey, "Reports of Freedmen's Bureau Operations in West Virginia: Agents in The Eastern Panhandle," *West Virginia History* 42 (Fall-Winter 1981): 94-129; Charles L. Price, "John C. Barnett, Freedmen's Bureau Agent in North Carolina," *Of Tar Heel Towns, Shipbuilders, Reconstructionists, and Alliancemen: Papers in North Carolina History* 5 (Autumn 1981): 51-74; Barry A. Crouch, *The Freedmen's Bureau and Black Texans* (Austin: University of Texas Press, 1992); Barry A. Crouch, "View From Within: Letters of Gregory Barrett, Freedmen's Bureau Agent," *Chronicles of Smith County, Texas* 12 (Winter 1973): 13-26; Paul A. Cimbala, "On the Front Line of Freedom: Freedmen's Bureau Officers and Agents in Reconstruction Georgia, 1865-1866," *Georgia Historical Quarterly* 76 (Fall 1992): 577-611; Paul A. Cimbala, "Making Good Yankees: The Freedmen's Bureau and Education in Reconstruction Georgia, 1865-1868," *Atlanta Historical Journal* 29 (Fall 1985): 5-18; and J. Thomas May, "The Freedmen's Bureau at the Local Level: A Study of a Louisiana Agent," *Louisiana History* 9 (Winter 1968): 5-19.

<sup>6</sup> For a complete overview of the historiography of Reconstruction, see Eric Foner, "Reconstruction Revisited," *Reviews in American History* 10 (December 1982): 82-100; Also see John David Smith, "'The Work It Did Not Do Because It Could Not': Georgia and the 'New' Freedmen's Bureau Historiography," *Georgia Historical*



Around mid-century, however, a new paradigm arose to challenge this negative version of the Bureau agent. For these revisionists, the Bureau agent was a product of his time and was subject to the whole gamut of human characteristics, from honesty and compassion to greed and nefariousness. Although the results left something to be desired, these students saw the agents' efforts, for the most part, as kind-hearted and quite progressive for the time.<sup>7</sup> As Revisionists started wiping away all remnants of the traditional argument, challengers appeared in the 1970s and 1980s. To the "post-Revisionists," the Bureau agent represented not a vehicle of liberation, but an instrument for oppression. Influenced by the civil rights movements and Great Society programs of the 1950s and 1960s and an increasingly pro-active national government, these critics indicted the agents for their lack of commitment to the needs of the freedmen, racial and gender predispositions, and desire for order and profitability at all costs. Harsh criticism,

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*Quarterly* 82 (Summer 1998): 331-349. For early critical descriptions of the Bureau, see John Rose Ficklen, *History of Reconstruction in Louisiana Through 1868* (Baltimore: The Johns Hopkins Press, 1910); John S. Reynolds, *Reconstruction in South Carolina, 1865-1877* (Columbia: The State Company Publishers, 1905); John Conger McGraw, "The Texas Constitution of 1866" (Master's Thesis, North Texas State University, 1959); James W. Garner, *Reconstruction in Mississippi* (New York: MacMillan Company, 1901); Clifton Lloyd Ganus, Jr., "The Freedmen's Bureau in Mississippi" (Master's Thesis, Tulane University, 1953); William B. Hesseltine, *A History of the South, 1607-1936* (New York: Prentice Hall Inc., 1936); Honorine Anne Sherman, "The Freedmen's Bureau in Louisiana" (Master's Thesis, Tulane University, 1936); C. Mildred Thompson, *Reconstruction in Georgia: Economic, Social, Political, 1865-1872* (Savannah: The Beehive Press, 1972); Laura Josephine Webster, *The Operation of the Freedmen's Bureau in South Carolina* (New York: Russell and Russell, 1970); C. Mildred Thompson, "The Freedmen's Bureau in Georgia in 1865-1866: An Instrument of Reconstruction," *Georgia Historical Quarterly* 5 (March 1921): 40-49; and E. Merton Coulter, *The South During Reconstruction, 1865-1877* (Baton Rouge: Louisiana State University, 1947).

<sup>7</sup> Some of the best revisionist works on Bureau agents are Edward Longacre, "Brave, Radical, Wild: The Contentious Career of Brigadier General Edward A. Wild," *Civil War Times Illustrated* 19 (June 1980): 8-19; Ross Nathaniel Dudley, "Texas Reconstruction: The Role of the Bureau of Refugees, Freedmen and Abandoned Lands, 1865-1870, Smith County, (Tyler) Texas" (Master's Thesis, Texas A&I University, 1986); Crouch, "Guardian of the Freedpeople," 185-201; Richard G. Lowe, "The Freedmen's Bureau and Local White Leaders in Virginia," *Journal of Southern History* 64 (August 1998): 455-472; John A. Carpenter, *The Sword and the Olive Branch: Oliver Otis Howard* (Pittsburgh: Pittsburgh University Press, 1964); and William L. Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?: The Role of Brevet Colonel William H. Sinclair as Acting Assistant Inspector General," *Military History of the Southwest* 20 (Fall 1990): 121-156.

however, was reserved for the agents' willingness to "bank the fires of freedom" through their alliance with white southern planters.<sup>8</sup>

A close examination of Bureau agents in Texas reveals that the typical subassistant commissioner – with exceptions of course – was, for the most part, a genuinely honest man who wanted to better the lives and situations of his charges. Although influenced by widespread attitudes toward labor, dependency, and male-female relations dominant in mid-nineteenth century America, for his time he engaged in work seen as quite philanthropic and out of the ordinary. The country asked these men to do the unprecedented, and, despite falling short of some peoples' expectations as well as some of their own, they achieved more than many thought possible. The agents in Texas sacrificed to help the freedmen. Some paid financially, some paid socially, and others paid with their lives. Whatever their motives and whatever the great obstacles placed before them, these men's attempts and sacrifices, in the words of Bureau historian Paul A. Cimballa, deserve "better than a summary dismissal . . . as being no more than the effort of a racist society attempting to define a subordinate kind of freedom for the ex-slaves."<sup>9</sup>

The foundation of any work on the Freedmen's Bureau is the agency's voluminous records. This work draws heavily from both the headquarters records (Assistant Commissioner Records), the Subassistant Commissioner Records, and the Superintendent of Education Records for the state of Texas. Since much of the material was written for and by the Bureau men, it

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<sup>8</sup> For this "post-revisionist" interpretation, see Leon Litwack, *Been in the Storm so Long: The Aftermath of Slavery* (New York: Alfred K. Knopf, 1979); Louis Gerteis, *From Contraband to Freedman: Federal Policy Toward Southern Blacks, 1861-1865* (Westport: Greenwood Press, 1973); McFeely, *Yankee Stepfather*; Michael Perman, *Emancipation and Reconstruction, 1862-1877* (New York: Harper & Row, 1988); George D. Humphrey, "The Failure of the Mississippi Freedmen's Bureau in Black Labor Relations, 1865-1867," *Journal of Mississippi History* 45 (February, 1983): 23-37; and Robert F. Engs, *Freedom's First Generation: Black Hampton, Virginia, 1861-1890* (Philadelphia: University of Pennsylvania Press, 1979).

<sup>9</sup> Paul A. Cimballa, *Under the Guardianship of the Nation: The Freedmen's Bureau and the Reconstruction of Georgia, 1865-1870* (Athens: University of Georgia Press, 1997), xv.

proved all the more important for this work. Overall, this study takes an agent-by-agent, subdistrict-by-subdistrict approach. Thus, a broad and nuanced account of the subassistant commissioners and their attitudes is possible.

Almost one hundred reels of Bureau records were scrutinized for opinions and observations – as well as silences – of the SACs concerning their duties, farming, white southerners, politics, violence, freedmen, etc. Since a large part of this dissertation seeks to discover who these agents were, census material, pension records, county court records, and newspapers proved essential. Military records, such as the records of the Fifth Military District, the papers of the Office of Civil Affairs, the correspondence of Governors Andrew Jackson Hamilton, James W. Throckmorton, and Elisha M. Pease, the personal papers and manuscripts of major Reconstruction figures, along with other sources, helped flesh out the picture.

This study weaves all these sources around the main subject, the Bureau man. By focusing on the “men on the ground” at the most personal level with the freedpeople, rather than the commanding officials at headquarters, this work seeks to obtain a greater understanding of the men chosen to implement policies, the difficulties in implementing such policies, and, ultimately, the success or failure of those policies. The findings of this approach have significant implications for the Freedmen’s Bureau as a whole and Reconstruction in general.

A study of Bureau men in Texas has exceptional potential for scholars and interested readers. The Lone Star State comprises all the major agricultural and geographical features of the southern states except the more mountainous regions of Appalachia. Almost nine in ten (88.2 percent) of all Texas residents were southern born in 1870. The state mirrored the South in other ways as well. Many postwar immigrants moved to Texas from other southern states. Texans displayed as much variation in political opinion as the Confederacy as a whole.

Unionism carried the day in 1860 in several counties along the Red River and in the region near Austin in the south-central part of the state. Finally, of course, white Texans had enthusiastically joined the Confederacy in 1861 and played prominent roles in the Confederate armies of all three theaters of combat.<sup>10</sup>

The basic outline of this study follows the tenures of the assistant commissioners. In late 1865, as the Bureau began its work in Texas, its leaders and agents knew nothing of what lay ahead or the consequences of their policies. They knew nothing but the task at hand: helping the former slaves make the transition from bondage to freedom. The story concludes with the Freedmen's Bureau's demise at the end of 1868 (although the Freedmen's Bureau operated until 1872, its field operations, education notwithstanding, ceased at the end of 1868).

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<sup>10</sup> United States Bureau of the Census, *The Statistics of the Population of the United States . . . Compiled from the Original Returns of the Ninth Census*, 4 vols. (Washington, D.C.: Government Printing Office, 1872), 1:328-334 (hereafter cited *Ninth Census*, and specific volume title).

## CHAPTER 1

### “A *STRANGER AMONGST STRANGERS*”: WHO WERE THE SUBASSISTANT COMMISSIONERS?

Few subjects in Reconstruction history have more differing interpretations than the Freedmen’s Bureau agent. Influenced by the time and events around them, contemporaries and later writers alike have labeled Bureau men “avaricious harpies,” “honest and genuine vehicles of change,” and “racist paternalists.” By doing so, they fail to identify him as anything more than some faceless, abstract entity to be either loathed or applauded. One would not know that a Texas Bureau man went on to lead United States military forces in Cuba in 1898 against the Spanish; that military officials initially had another former agent in Texas scheduled to lead the expedition into Montana where it met its fate at the Little Big Horn; or that many others went on to productive – if less spectacular – lives as doctors, lawyers, politicians, soldiers, and productive citizens.

In some earlier studies, the human aspect was often lost. Was the “avaricious harpy” a wealthy man or from more common stock? Was he a Yankee or did he hail from Dixie? Did that “honest and genuine vehicles of change” have a family or was he single? What occupations were those “racist paternalists” drawn from? Was it from the civilian sector or the military? By focusing on these matters and several others, interested readers can address the very important question of who were the subassistant commissioners of the Freedmen’s Bureau. As stated earlier, answers to these questions will suggest the type of man high Bureau officials believed most qualified – or not qualified – to oversee the freedmen’s journey from bondage to freedom.

The Bureau operated within all eleven former Confederate states as well as Maryland, Missouri, Kentucky, West Virginia, and the District of Columbia. A commissioner in Washington, D.C., oversaw the entire organization. In order to delegate operations and

authority, the commissioner appointed subordinates known as assistant commissioners. These men supervised the agency's actions within a particular state (sometimes several states fell under the jurisdiction of one assistant commissioner). Over time, each state was sectioned into subdistricts, generally comprising one to several counties. A subordinate agent, known as a subassistant commissioner (SAC), headed each subdistrict and served as the agency's man in most direct contact with the freedmen and local whites. At one time or another, the SACs were called superintendents, subcommissioners, assistant commissioners, or assistant superintendents. Their responsibilities extended to "all subjects relating to refugees and freedmen," and they were "empowered to exercise and perform within their respective subdistricts all the powers . . . of the Assistant Commissioner." In effect, subassistant commissioners held full power within their subdistricts.<sup>1</sup>

The subassistant commissioner had to be familiar with army regulations, lead troops on occasion, engage in diplomacy, marriage counseling, and education, and serve as judge and jury. He also had to do this with little or no clerical help. As one Bastrop agent stated about his official business for one month, it entailed "[e]xamining, explaining and approving [labor] contracts, settlement of last year[']s contracts, visiting plantations, addressing the freedmen, hearing complaints, giving advice etc." In short, the job required the agent to be "an official jack-of-all-trades."<sup>2</sup>

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<sup>1</sup> Circular letter from [O. O. Howard], April 1867, Box 401-860, Texas Adjutant General's Office, Texas Adjutant Generals Department, Archives and Information Division, Texas State Archives and Commission, Austin, Texas (hereafter cited TxAGO).

<sup>2</sup> Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., April 2, 1867, Reports of Operations and Conditions, December 1866-May 1867, Records of the Assistant Commissioner for the State of Texas, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, Record Group 105, National Archives and Records Administration, Washington, D.C. (Microfilm M821, reel 20), hereafter cited as AC; John William De Forest, *A Union Officer in the Reconstruction*, eds. James H. Croushore and David M. Potter (New Haven: Yale University Press, 1948), 41; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row Publishers, 1988), 143.

From September 1865, when the Bureau arrived in Texas, to December 1868, when its operations – excluding education – ceased in the state, 234 of these jacks-of-all-trades served in Texas. That approximates three times the total number of agents in Arkansas (79). Some earlier accounts place the number of SACs in Texas at 202. Several reasons may explain the discrepancy. First, not all agents were listed in the Freedmen’s Bureau’s Roster of Officers and Civilians. Headquarters posted the roster on a monthly basis, but individual agents who received their appointments and were relieved all within the same month were not included. Legitimate appointees frequently exceeded their authority and appointed subordinates to lessen their workload. These “pseudo” agents engaged in Bureau work, often examining and approving contracts, signing their names to official documents, and resolving disputes. In time, every one of these unauthorized agents would be filtered out by Bureau headquarters, but this can be discerned only by a thorough examination of the records. Furthermore, past examinations did not include traveling agents, special agents, or assistant subassistant commissioners. Since these positions essentially had the same responsibilities as a subassistant commissioner – inspecting districts, adjudicating cases, and examining and approving contracts – they should be included in any study of SACs.<sup>3</sup>

Another problem in determining an accurate number of agents stems from local political conflicts. Antagonistic whites often mislabeled certain men as agents in order to castigate them within the white community. Anyone who applied for a position, aided Bureau officials, or sympathized with the organization’s efforts and goals risked being labeled a “Buro man.” These inaccuracies often passed down unchallenged through the years to become accepted as fact.

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<sup>3</sup> Randy Finley, *From Slavery to Uncertain Freedom: The Freedmen’s Bureau in Arkansas, 1865-1869* (Fayetteville: University of Arkansas Press, 1996), 11; Cimbala, *Under the Guardianship of the Nation*, 256. For studies citing 202 agents in Texas, see Crouch, *Freedmen’s Bureau and Black Texans*, 9; and Harper, “Freedmen’s Bureau Agents in Texas,” 2.

Former slave and state representative Richard Allen, former slave and delegate to the Constitutional Convention of 1868-1869 Charles W. Bryant, and physician and county official Benjamin Franklin Barkley have all been erroneously cited as Bureau agents. These men, however, appear nowhere in the voluminous records for Texas as SACs, and of the three, only Barkley actually even applied. Without a thorough investigation, such oversights can easily happen and skew any measurements.<sup>4</sup>

Disorganization at Bureau headquarters and the inherent problems often found in any large bureaucracy also led to inaccurate record keeping. On more than one occasion, officials mistakenly listed an individual as an agent only to have others on the headquarters staff contradict the designation. Consider the case of John M. Barbour. While he was agent at Matagorda, a coastal county southwest of Houston, Charles F. Rand, without authorization from superiors, exceeded his powers and appointed Barbour as a subordinate. Barbour engaged in subassistant commissioner duties, including approving contracts. He even corresponded with officials in Galveston as a legitimate agent. Discovering this misstep in early 1866, headquarters informed Barbour that Rand had exceeded his authority and annulled the appointment. Nevertheless, in January 1867, through Special Orders No. 7, headquarters assigned Barbour to Matagorda. It appears that Barbour's appointment, once again, should not have been made, for headquarters informed him that no such order making him an agent existed and ordered him to cease immediately any and all actions relative to Bureau operations. This ordeal shows how turnover in headquarters' personnel and a lack of organization and clarity, at times, affected men

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<sup>4</sup> Ron Tyler, ed., *New Handbook of Texas*, 6 vols. (Austin: Texas State Historical Association, 1996), 1:112-113, 795, 383.



on the ground and created confusion. And, as will be seen in subsequent chapters, such detachment was hardly an isolated incident.<sup>5</sup>

Rather than examine a sample of the 234 agents, this study attempted to identify all of them. Because of the vague and imprecise way Reconstruction records were collected and the rather generic information within the 1870 federal census, not all of the agents could be located and identified precisely. To achieve consistency, only those men found in the 1870 census (105 of 234, or 44.8 percent) were used to obtain the numbers on wealth, occupation, household status, and marital status. For other categories of information, such as age, birthplace, and military status, additional sources were used. Corresponding sources like other censuses, military records, encyclopedias, and dictionaries could be used to ascertain the agents' ages, places of origin, and military status. This can be done without jeopardizing consistency or skewing the results. For instance, agent A is found in the 1880 census, but not in the 1870 census. The census listed his age in 1880 at 45. It does not cause a problem with the findings to assume he would be 35 in 1870. The same goes for birthplace, which would not change from source to source. Of course, such an assumption could not be made with wealth, occupation, or marital status, all of which can easily and significantly change within a decade. Thus, the denominator for age (n=140), place of origin (n=185), and military service (n=170) will be higher than 105.<sup>6</sup>

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<sup>5</sup> Special Orders No. 7, January 16, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, July 1866-May 1868, reel 19.

<sup>6</sup> The data for occupation, age, wealth, marital status, and head of household are from the 1870 federal census. The author realizes the imperfect compilation of that particular census, but deemed it necessary for this study. Since a good portion of the agents before the war lived with their parents, thus rendering it very difficult to locate them, the 1860 census would not have been as helpful. Due to the inherent problems in data collection in the 19<sup>th</sup> century and the condition of the country following the war, slightly less than 45 percent (n=105) of the individuals who served as Bureau agents in Texas were located. Other census-based studies of the Civil War era have found a comparable percentage of their target individuals. For examples, see Maris A Vinovskis, "Have Social Historians Lost the Civil War? Some Preliminary Demographic Speculations," in Vinovskis, ed., *Toward a Social History of the American Civil War: Exploratory Essays* (Cambridge, England and other cities, 1990): 1-30; W. J.

Furthermore, all agents were examined in this study, including those who might have served a short period of time in the organization. A population that consisted of a large number of men who had very short tenures with the Bureau could easily skew the findings. For example, if Texas had a significant number of agents who served for only a few days or a couple of months, they would definitely not represent the “typical” subassistant commissioner. But that is not the case. In fact, only twelve agents (5.1 percent) served less than three months, and fewer than 10 percent worked for the Bureau for less than four months.

At the Bureau’s high point in Texas, it counted 61 subassistant commissioners and 11 assistant subassistant commissioners (July 1867) manning 59 subdistricts. Texas thus had a high of six dozen agents (SACs, assistant subassistant commissioners, and traveling agents) in the field at one time, which greatly exceeded the maximum in other southern states like Alabama, Arkansas, and Mississippi. But considering the Lone Star State’s immense size and the fact the Freedmen’s Bureau never employed more than nine hundred agents, including office staff, throughout the South at any given time, there never existed an adequate number of Texas agents to service both the white and black communities. While some agents had stints of more than two years, others’ tenures lasted but days or a few weeks. As a result of the challenges faced by Bureau men, turnover in Texas was high, resulting in an average tenure approximating eight and one-half months (8.59 months). This was slightly below the nine and one-half months in the Arkansas Bureau and approximates the mean for Alabama. Whether it was due to the workload, the low pay, or certain inherent dangers of the job, it is certain that few agents remained in the

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Rorabaugh, “Who Fought for the North in the Civil War? Concord, Massachusetts, Enlistments,” *Journal of American History* 73 (December 1986): 695-701; Thomas R. Kemp, “Community and War: The Civil War Experience of Two New Hampshire Towns,” in Vinovskis, ed., *Toward a Social History of the American Civil War: Exploratory Essays* (Cambridge, England and other cities, 1990): 31-77; and Lowe, “Freedmen’s Bureau and Local White Leaders in Virginia,” 455-472. Vinovskis located 55 percent, Rorabaugh 48 percent, Kemp 47 percent, and Lowe 52.4 percent.

position long enough to establish any confidence, if it was possible, within the white community or greatly enhance their overall effectiveness for the freedmen.<sup>7</sup>

Of the 234 Bureau agents who served in Texas, all but one were white and all were men. Some sources have listed agents other than George T. Ruby as black, most notably Prussian Jacob C. DeGress. But none of these assertions can be substantiated, and, judging by DeGress's place of birth, this seems quite improbable. Officials in Washington, although never specifically prohibiting the appointment of blacks, warned subordinates of white reaction to black agents and noted that black men "created a hostility hard to overcome." Of the 234 agents whose birthplace could be confirmed (n=185; 79 percent), 160 (86.5 percent) were born outside of the eleven former Confederate states (i.e., slaveholding states that did not secede, Union states, and foreign countries). Twenty-five men (13.5 percent) came from states that seceded (the former Confederacy).<sup>8</sup>

<b>Place of Origin</b>	<b>Number of Bureau Agents</b>	<b>Percentage From Place of Origin</b>
Outside the former Confederacy, including foreign born	160	86.5
Former Confederate States (Virginia, Texas, North and South Carolina, Georgia, Florida, Mississippi, Alabama, Louisiana, Tennessee, and Arkansas)	25	13.5
	<b>n=185</b>	<b>100</b>

The Bureau in Texas preferred men born north of Dixie. Three-fourths of the agents (120

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<sup>7</sup> Barry A. Crouch and William L. Richter both understate the maximum number of agents in the field at any one time. Crouch claims the high to be 69, while Richter, in two different works, cites 70 and 69. According to the Bureau's Roster of Civilians and Agents, the actual high was 61 SACs and 11 assistant subassistant commissioners. The two extra SACs are attributed to the Huntsville subdistrict having two and another SAC not yet assigned a district. (See Crouch, *Freedmen's Bureau and Black Texans*, 28; William L. Richter, *Overreached on All Sides: Freedmen's Bureau Administrators in Texas, 1865-1868* (College Station: Texas A&M University Press, 1991), 157; Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 122, 124; and Roster of Civilians and Agents, July 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, reel 19); Foner, *Reconstruction*, 143; Finley, *From Slavery to Uncertain Freedom*, 11; Kenneth B. White, "Black Lives, Red Tape: The Alabama Freedmen's Bureau," *Alabama Historical Quarterly* 43 (Winter 1981): 244-245; Solomon K. Smith, "The Freedmen's Bureau in Shreveport: The Struggle for Control of the Red River District," *Louisiana History* 41 (Fall 2000): 436.

<sup>8</sup> Carpenter, *Sword and Olive Branch*, 101-102.

of 160) came from a non-slaveholding, northern state. Men who came from the Upper South – slaveholding states that remained in the Union, including Delaware and D.C. – represented 7.5 percent (n=12). The remaining 28 men (17.5 percent) immigrated from another country. The numbers for those born in the non-slaveholding Union states (n=120) shows that about half (n=61, or 50.8 percent) were born in a Middle Atlantic state (New York, Pennsylvania, or New Jersey), with no agent being from New Jersey. Slightly less than 25 percent (n=30) of the men were born in New England, and the Great Lakes region produced 29 men (24.2 percent). Only 25 Bureau agents (13.5 percent of the total found) were born in one of the eleven states that seceded. Surprisingly, only one agent came from the Lone Star State. A majority of the agents from states that “left” the Union came from Tennessee, Virginia, and Alabama, all three former Confederate states with large Unionist populations. These numbers corroborate findings in other studies: the Bureau hesitated to appoint men from the former Confederacy and desired men with northern roots.<sup>9</sup> The data also suggest that Bureau officials turned to civilian agents to help remedy personnel shortages.

<b>Place of Origin</b>	<b>Number of Bureau Agents n=185</b>	<b>Percentage of Bureau Agents From Each Region</b>
Middle Atlantic States (New Jersey, New York, and Pennsylvania)	61	33
Upper South (Delaware, D.C., Kentucky, Missouri, and Maryland)	12	6.5
New England (Massachusetts, Vermont, Maine, Connecticut, Rhode Island, and New Hampshire)	30	16.2
Great Lakes (Michigan, Ohio, Indiana, Illinois, Wisconsin, and Iowa)	29	15.7
Foreign Countries (England, Prussia, Ireland, Sweden, Canada, and Scotland)	28	15.1
Confederate States (Virginia, Tennessee, Texas, Georgia, North and South Carolina, Florida, Mississippi, Alabama, Louisiana, and Arkansas)	25	13.5
	<b>n=185</b>	<b>100</b>

<sup>9</sup> Paul A. Cimballa, “The ‘Talisman Power’: Davis Tillson, the Freedmen’s Bureau, and Free Labor in Reconstruction Georgia, 1865-1868,” *Civil War History* 28 (June 1982): 157; Lowe, “Freedmen’s Bureau and Local White Leaders,” 459-460.

The small proportion of southern-born agents demonstrates the first Freedmen's Bureau Assistant Commissioner E. M. Gregory's suspicion of anyone from former "secesh" states. His successors, to one degree or another, followed his lead, as did other assistant commissioners for other states. Nevertheless, manpower shortages sometimes forced officials to draw from the state's "scalawag" (i.e. southern white Unionist) population. It is true that the Freedmen's Bureau occasionally turned to residents such as Hardin Hart, Albert Latimer, and James A. Hogue, all born in the South and residents of Texas prior to the war. But white southern men were few, and they were greatly outnumbered by northerners.<sup>10</sup>

Who were some of these scalawags and carpetbaggers? None could exactly be called a hero or a villain. Most turned out to be quite unassuming men on the frontline of Reconstruction. But a few achieved some status and popularity for their time. For example, scalawag Albert H. Latimer, a moderate Republican, was born in Tennessee either in 1800 or 1808. He arrived in Texas with his wife just prior to hostilities with Mexico. Although he served in a military unit during the Texas Revolution, he became best known for representing his region at the Convention of 1836 at Washington-on-the-Brazos, where he signed the Texas Declaration of Independence. After the state's independence, he served in the congresses of the Republic of Texas and in the Texas State Senate. An ardent Unionist and owner of twenty-two slaves, he resisted secession but remained in Texas throughout the war. He served in the

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<sup>10</sup> Richter, *Overreached on All Sides*, 322; E. M. Gregory to O. O. Howard, September 21, 1865, Letters Received, October 1865-February 1866, Registers and Letters Received by the Commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1872, Record Group 105, National Archives Records Administration, Washington, D.C. (Microfilm M752, reel 24) hereafter cited M752C. For studies of Bureaus in other state that show suspicion and hesitancy to appoint civilian agents, see William T. Alderson, "The Influence of Military Rule and the Freedmen's Bureau on Reconstruction Virginia, 1865-1870" (Ph. D. diss., Vanderbilt University, 1952), 35-36. The definition of carpetbagger and scalawag follows that of Richard Current, Allen W. Trelease, and James A. Baggett (See Richard N. Current, "Carpetbaggers Reconsidered," 223-240, and Allen W. Trelease "Who Were the Scalawags," 299-322, in Kenneth M. Stampp and Leon F. Litwack, eds., *Reconstruction: An Anthology of Revisionist Writings* (Baton Rouge: Louisiana State University Press, 1969); and James A. Baggett, *The Scalawags: Southern Dissenters in the Civil War and Reconstruction* (Baton Rouge: Louisiana State University Press, 2003).

provisional government of Governor A. J. Hamilton before being elected to the Constitutional Convention in 1866. With stints as a tax collector, voter registrar, and Freedmen's Bureau agent in north Texas, Latimer in 1869 accepted an appointment to the Texas Supreme Court, but resigned later that year. His positions helped him attain a high economic status. In the 1870 census he listed nearly nine thousand dollars in wealth. A moderate Republican, Latimer opposed the gubernatorial run of the more radical E. J. Davis in 1869, but still received an appointment as a district judge in the Davis administration. It is uncertain exactly why Davis appointed Latimer, but his appointment might have had something to do with his reputation as one of the premier legal minds in the state, unquestioned Unionism during and after the war, loyalty to the Republican party, and service within the Freedmen's Bureau. Furthermore, the Radical Republicans had a tenuous hold on power in the state and never claimed a majority of the people's support. Thus, Latimer's appointment could easily have been an attempt by Governor Davis to coalesce support by courting moderate Republicans. Considering the numerous fusion parties and tickets throughout Reconstruction, such an assertion is quite plausible. He would serve three years as a district judge in Davis' administration before dying in Clarksville in 1877.<sup>11</sup>

Most citizen agents lived less conspicuous lives, going about their time on earth with little fanfare or reason for people to notice. James A. Hogue, a forty-four-year-old, wealthy (\$30,000 in total wealth) planter from Alabama, lived in Polk County during Reconstruction. A widower, he remarried sometime after 1870. In all, he fathered more than ten children. Because of his Unionism during the war, he received an appointment as a Bureau agent, despite having owned thirty five slaves. After his tenure with the agency, Hogue moved to San Jacinto County,

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<sup>11</sup> Tyler, ed., *New Handbook of Texas*, 4:102.

but ultimately found his way to Harris County, where he died shortly after the turn of the century. Johnathan Tilford Whiteside was born during the War of 1812 in Tennessee. A resident of Grimes County in 1860, he listed planter as his occupation and owned seventeen slaves. A widower on the eve of the Civil War, he remarried shortly thereafter. He disappears from the census after 1880.<sup>12</sup>

Born in New York, George T. Ruby, the only black SAC in Texas, was born to a black father and white mother. He came south and zealously committed himself to black education in Louisiana, where he became interested in politics. He came to Texas in the summer of 1866. Appointed as a traveling agent, he toured the state to encourage the establishment of freedmen schools and morality, particularly temperance. He left Freedmen's Bureau service in late 1867, and through his political work during his Bureau service, became a delegate at the Republican National Convention and later to the state's constitutional convention. Afterwards, his constituents in Galveston elected him to the state legislature in 1869. In fact, Galvestonians came to accept Ruby because he furthered the business interests in his district and was one of the most important and influential black politicians during Reconstruction in Texas. With the Democrats regaining control of the state senate, Ruby decided not to run for reelection in 1873. Believing the prospects better for the Republican cause, he moved back to Louisiana, where he worked as a surveyor for the city, agent for the Internal Revenue department, and editor of a local paper until his death from malaria in 1882. Although known as a radical carpetbagger, his "personal qualities of tact and diplomacy . . . softened" some of his harshest critics.<sup>13</sup>

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<sup>12</sup> Ninth Census of the United States, 1870, Schedule I (Inhabitants), National Archives and Records Administration, Washington, D.C. (hereafter cited as Ninth Census).

<sup>13</sup> Tyler, ed., *New Handbook of Texas*, 5:706; George T. Ruby, see Barry A. Crouch, "Black Education in Civil War and Reconstruction Louisiana: George T. Ruby, the Army, and the Freedmen's Bureau," *Louisiana History* 38 (Summer 1997): 287-308; Randall B. Woods, "George T. Ruby: A Black Militant in the White Business Community," *Red River Valley Historical Review* 1 (August 1974): 269-280; Smallwood, "G. T. Ruby," 24-33;

Another carpetbag agent was Ira Hobart Evans. A Vermont resident and an officer in several colored units during the war in the Army of the James, Evans served in the honor guard for President Abraham Lincoln's funeral cortège. For his actions at Hatcher's Run, Virginia, in the closing days of the war, he received the Medal of Honor in 1895. He became a SAC in 1867, but resigned in disgust with Bureau superiors in late January 1868. Evans bounced around as an Internal Revenue agent along the Texas border and coast until fellow Republican and gubernatorial candidate Edmund J. Davis convinced him to run for a seat in the next legislature. In 1870 his fellow legislators elected him speaker of the House of the Twelfth Legislature, thus making him the youngest ever to hold that position in Texas. The amity, however, did not last long, for he soon angered his own party by siding with the Democrats in opposition to a controversial election law. This break with the party resulted in his ouster from the speakership. After serving the remainder of his term, Evans left political office and worked for the Texas Land Company along with various railroads. His interest in the freedmen, nevertheless, always remained, and he lent his support for establishing Tillotson College in Austin. Evans served on the all-black school's board of trustees and as president of the board for the last four decades of his life. These case studies highlight something worth noting: most Bureau agents were simply average 19<sup>th</sup>-century people who lived rather inconspicuous lives, despite momentous times in the country's existence.<sup>14</sup>

Charles F. Rand, a carpetbagger from Batavia, New York, entered service for the Union with the 12<sup>th</sup> New York Volunteers. In fact, he is officially recognized by Congress as the first

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Merline Pitre, *Through Many Dangers, Toils, and Snares: The Black Leadership of Texas, 1868-1900* (Austin: Eakin Press, 1985).

<sup>14</sup> Ira Hobart Evans, Vertical File, Center for America History, University of Texas at Austin, Austin, Texas; Tyler, ed., *New Handbook of Texas*, 2:904-905; *Members of the Texas Congress, 1846-2004* (Austin: Senate Publications, 2005), 2:131.



man to volunteer for the Civil War. President Abraham Lincoln issued a call for 75,000 volunteers after Confederates fired on Fort Sumter in April 1861. An officer came to Batavia to ask who wanted to be the first to volunteer. Stepping from the crowd, Rand said, "I will." He served heroically, even winning the Medal of Honor at Blackburn's Ford, Virginia, in July 1861. As his "regiment broke in disorder," Rand remained in action and faced the fire of an entire Confederate company. With bullets whizzing all around him, he continued to load and fire at the enemy. The Confederates withheld their fire from the lone gunmen and allowed him to retreat. Wounded in action at Gaines Mill in June 1862, Rand had a portion of his right humerus bone "excised." Doctors removed the head of the bone and four inches of the shaft so that the arm "hangs by the muscles and ligaments." One assistant surgeon wrote about Rand's condition, remarking that the "officer can use his arm at [the] table and plays well on the banjo." Confederates captured the wounded soldier, and he spent three months in Libby prison. After being exchanged, he continued service in the Veteran Reserve Corps and finished the war on assignment at Douglas Hospital, where he became interested in medicine. After his service in the Freedmen's Bureau service, he enrolled at Georgetown Medical College and was graduated in 1870. He practiced medicine in D.C. and was a member of numerous organizations, like the Grand Army of the Republic and the American Geographic Society. He died in 1908 and, because he was the first to volunteer during the Civil War, he was buried in plot No. 1 at Arlington National Cemetery.<sup>15</sup>

The types of jobs Bureau agents in Texas held after the war ran the gamut for 19<sup>th</sup> century America. In all, agents followed twenty-nine different occupations, ranging from contractor to

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<sup>15</sup> George Lang, Raymond L. Collins, and Gerard F. White, comps., *Medal of Honor Recipients 1863-1994*, 2 vols. (New York: Facts on File, Inc., 1995), 1:1087; Charles F. Rand File, Pension Record, Bureau of Veterans Affairs, National Archives and Records Administration, Washington, D.C., Record Group 15 (hereafter cited Pension Record); George A. Otis, ed., *Medical and Surgical History of the War of the Rebellion*, 12 vols. (Washington, D.C.: Government Printing Office, 1876): 10:529; *Washington Post*, October 13, 1907.

law enforcement, from merchant and retailer to farmer, from editor to minister, from seaman to clerk. Bureau men in Texas came from a broad spectrum of occupations. Of those whose occupations could be ascertained (n=105), 64.8 percent (n=68) of the agents listed a professional or personal service occupation. That equals almost four times the state average – 17.2 percent – but the high number of U.S. military personnel in the sample explains this. Eighteen men (17.1 percent) listed an occupation in the agricultural sector, significantly lower than the state’s average (70.4 percent). Agents who listed a trade or a commercial job equaled to 13.3 percent (n=14) and manufacturing 4.7 percent (n=5). The former was almost three times the state’s average (5.7 percent), but the latter was slightly less than the state’s 6.7 percent.<sup>16</sup>

<b>Occupation</b>	<b>Number of Bureau Agents</b>	<b>Percentage of Bureau Agents</b>	<b>Percentage of Texans</b>
Professional/Personal Services	68	64.8	17.2
Agricultural Industry	18	17.1	70.4
Trade and Commerce	14	13.3	5.7
Manufacturing and Mechanical	5	4.8	6.7
	<b>n=105</b>	<b>100</b>	<b>100</b>

Note: Texas’ averages are from *Ninth Census, Wealth and Industry*, 3:808-823.

Bureau agents in Texas cited the United States army most often as their employer, (n=43, or 40.9 percent). (In fact, the number greatly increases when adjusted for those who served during the war and for those who were still in the army in 1880 but could not be located in the 1870 census [n=170, or 72.6 percent of 234 Bureau agents in Texas.]) This percentage compares closely to the findings in other state studies of the Freedmen’s Bureau. Considering that nearly three-quarters of Texas Bureau agents enlisted in the armed forces during the war and the Bureau

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<sup>16</sup> For numbers for occupations in Texas, see *Ninth Census, Wealth and Industry*, 3:808-823. All subsequent numbers and percentages for the state or country are taken from this source unless specified otherwise.

came under military control, this hardly seems novel. But it appears that military service helped with an appointment and might be, like birthplace, a good indicator of Union sentiment.<sup>17</sup>

J. B. Kiddoo, Gregory's successor, believed the typical soldier was above reproach in regard to loyal sentiment and less likely to cheat the freedmen because he "is being paid his regular salary." With subassistant commissioners receiving no pay until the summer of 1866, Kiddoo believed civilian agents to be lazy and possibly shirkers. Personnel and applicants alike knew the importance of military service. Charles Haughn, a Bureau man whom one assistant commissioner for Texas called one of the "most efficient and reliable of the Bureau agents," understood the preference when he informed superiors about the large pool of discharged soldiers in his subdistrict. "There are many discharged soldiers here," he wrote, "but all of them are addicted to the use of intoxicating liquor." One former soldier, who never received an appointment, noted in his application that "I think one that served during the whole war . . . should have precedence over one who [did not]." William H. Sinclair, a subassistant commissioner and later inspector for Bureau headquarters in Texas, presumed an application would be declined, for this applicant had "never served in the army during the war. . . ."<sup>18</sup>

Other reasons might help explain the high percentage of military men in the Bureau in Texas. In their groundbreaking study of the "Misrepresented Bureau," LaWanda and John Cox found that officials recognized that the "prestige of the uniform aided the effectiveness of Bureau

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<sup>17</sup> Martin Abbott, *The Freedmen's Bureau in South Carolina, 1865-1872* (Chapel Hill: University of North Carolina Press, 1967), 23; Finley, *From Slavery to Uncertain Freedom*, 11; Cimbala, "On the Front Line of Freedom," 583-588; John Cornelius Engelsman, "The Freedmen's Bureau in Louisiana," *Louisiana Historical Quarterly* 32 (January 1949): 162.

<sup>18</sup> J. B. Kiddoo to [O. O.] Howard, May 28, 1866, M752C, Letters Received, May-August 1866, reel 36; Charles Haughn, Waco, to C. S. Roberts, A.A.A.G, September 5, 1868, AC, Letters Received, 1867-1868, reel 12; E. R. S. Canby to O. O. Howard, February 9, 1869, AC, Letters Received, 1867-1869, reel 16; William Sinclair, Inspector, to C. S. Roberts, A.A.A.G, September 8, 1868, AC, Letters Received, 1867-1869, reel 15; H. K. Taylor to William H. Sinclair, Inspector, April 23, 1868, AC, Letters Received, 1867-1869, reel 16; L. H. Sanger, Commanding Post of Livingston, to A. H. M. Taylor, A. A. A. G, August 5, 1867, AC, Letters Received, 1866-1867, reel 8.

work” and that men in uniform “were more easily held to required military discipline and responsibility than were civilians.” In the initial Bureau bill in early 1865 Congress did not allocate funds to pay civilian agents, and not until July 1866 did agents begin to be paid for their services. Few men wanted to put the time and effort into being a Bureau agent pro bono; thus out of necessity, the organization had to turn to the military. In fact, in the organization’s first year, Commissioner O. O. Howard hesitated to appoint civilian agents, because he did not want to spend money on their salaries.<sup>19</sup>

A third reason might be the type of work the organization did. Thirty-one Texas agents, including the first two assistant commissioners, at one time or another, served as officers in regiments of United States Colored Troops. That means nearly one in five agents (n=3, or 18.2 percent) whose military status could be confirmed (n=170) served as officers in all-colored regiments. The willingness of a white man to work with and lead black troops into combat was not lost on Bureau officials or those wanting an appointment. In addition to a man’s possible “humanitarian” and “liberal” spirit, officials also believed that those who commanded black regiments had become “pretty thoroughly acquainted with their [blacks’] nature. . . .”<sup>20</sup>

Although some agents never encountered a life-threatening situation in their subdistricts, others literally took their lives in their hands. Those stationed in northeast Texas, along the Red River and the frontier, and in the triangular “no man’s land” between San Antonio, Corpus Christi, and Brownsville faced much danger, particularly from Indians, outlaws, or both. Officials needed battle-tested men who would not shirk from their duty. One civilian agent

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<sup>19</sup> John Cox and LaWanda Cox, “General O. O. Howard and the ‘Misrepresented Bureau,’” *Journal of Southern History* 19 (November 1953): 440-441; Carpenter, *Sword and Olive Branch*, 100.

<sup>20</sup> E. M. Wheelock to J. B. Kiddoo, September 23, 1866, Letters Received, 1866-1867, AC, reel 9. It appears that John W. Sprague, assistant commissioner of Arkansas, also favored those who served in colored regiments (See Thomas S. Staples, *Reconstruction in Arkansas, 1862-1874* [New York: Columbia University Press, 1923]).

stationed in Austin noted before tendering his resignation because of the constant strain of the job, in this “laborious office . . . occasional collision must be unavoidable.” Another man, whose son became an agent in Dallas, remarked, “The [subassistant commissioner] must be willing to carry his life in his hand. . . .”<sup>21</sup>

Those who served in the armed forces had experience following orders. Despite some leeway in their day-to-day operations, subassistant commissioners still had to abide by Bureau and military policies and guidelines. With critics watching for a misstep, the Bureau could ill-afford a rogue agent. These men had been familiarized with the ins and outs of military paperwork, something civilians could hardly comprehend. Bureau headquarters issued many a reprimand for improper reports, requisitions, and records. Lastly, the large number of soldiers essentially married the Bureau with the Army. This allowed for protection, but it also was quite practical. Since many in the North feared another war, it only made sense to have as many military personnel as possible on site. The Bureau then could be another means to prevent the former slaveholding states of the Confederacy from ever attempting another war. Whatever the reason, the high number of soldiers suggests the Bureau was hardly engaged in work to “revolutionize” the South, but probably something more moderate and practical.<sup>22</sup>

Texas Bureau agents’ military careers ranged from unremarkable to heroic and included six winners of the Medal of Honor. William Rufus Shafter received the Medal of Honor for meritorious action at Fair Oaks during the war, but he had a relatively obscure career as an agent on the Texas frontier. After Reconstruction, however, his exploits and career could hardly be

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<sup>21</sup> J. Orville Shelby to [J. B.] Kiddoo, July 26, 1866, AC, Letters Received, 1866-1867, reel 8; A. Willis to J. J. Reynolds, May 8, 1868, AC, Letters Received, 1867-1869, reel 16; J. B. Kiddoo to O. O. Howard, August 8, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

<sup>22</sup> Circular letter from O. O. Howard, December 22, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Olds, “Freedmen’s Bureau as a Social Agency,” 120.

called ordinary. He became a renowned Indian fighter in West Texas, Arizona, and in South Dakota, where he commanded the expedition responsible for returning the Indians to the reservation after the Wounded Knee massacre. In 1898, in spite of being considered incompetent and terribly overweight (305 pounds), battling gout, and having to be carried around the island in a cart, at times, he led the American expedition into Cuba during the Spanish-American War. At the time, it was the largest force ever to leave American soil.<sup>23</sup>

After distinguished service in West Virginia, the battles of Chickamauga in Georgia and Chattanooga in Tennessee, and as a corps commander in the capture of Mobile, Joseph Jones Reynolds headed the District of Arkansas at war's end. Transferred shortly thereafter to Texas, he took over the Rio Grande military subdistrict. He soon commanded the Department of Texas and oversaw the solidification of Republican rule in Texas. After a brief stint on the Montana frontier, where superiors offered him command of the ill-fated Little Big Horn (but which he declined because of poor health), Reynolds was court-martialed for actions during another Indian campaign and retired shortly afterwards, in 1877. Already commended for his Civil War record, the commander of the 4<sup>th</sup> Cavalry, Ranald Slidell ("Bad Hand") Mackenzie, achieved greater fame with his campaigns against the Comanche and Kiowas in West Texas. A Bureau agent at Brownsville, Mackenzie further enhanced his reputation with his famed excursion across the Mexican border to quell the Apache and their Kickapoo allies.<sup>24</sup>

Although participants in some of the most famous battles of the Civil War and subsequent Indian campaigns, the vast majority of Texas Bureau men had inconspicuous military

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<sup>23</sup> Lange, et. al., comps., *Medal of Honor Recipients, 1863-1894* (New York: Facts on File, Inc., 1995), 1:198; Tyler, ed., *New Handbook of Texas*, 1:987-988; *New York Times*, November 13, 1906; Paul H. Carlson, "Pecos Bill": *A Military Biography of William R. Shafter* (College Station: Texas A&M University Press, 1989), 160-188; Charles D. Rhodes, "William Rufus Shafter," *Michigan History Magazine* 16 (Fall 1932): 375-377.

<sup>24</sup> Tyler, ed., *New Handbook of Texas*, 1:556-557; Joseph Jones Reynolds File, Pension Record; Ernest Wallace, *Ranald S. Mackenzie on the Texas Frontier* (College Station: Texas A&M University Press, 1993), 60-168; Tyler, ed., *New Handbook of Texas*, 4:416-417.

careers and lives after their tenures as subassistant commissioners. The agent at Tyler, Gregory Barrett, entered military service in a Maryland volunteer unit before transferring to the 26<sup>th</sup> Infantry Regiment. A lieutenant at war's end, he remained in the army for more than a decade after Appomattox. Apparently he still yearned for martial life, because in 1884 he was recommissioned as a captain. He died on the field of battle at Santiago de Cuba in 1898. Oscar E. Pratt, a lieutenant colonel in the 7<sup>th</sup> United States Colored Troops (U.S.C.T.), participated in the "hotly contested battles around Richmond and Petersburg." Luckily he never received a serious wound, but the same cannot be said for several of his hats and jackets. He had a relatively short stay as a Bureau agent in Indianola and eventually returned home to northwest New York to resume his medical studies. For the next four decades, Pratt built a lucrative medical practice in New York, Illinois, and Michigan and distinguished himself as the president and secretary of several medical associations and societies.<sup>25</sup>

A native of Prussia, Jacob C. DeGress commanded cavalry during the war. He finished the war on the staff of General Joseph A. Mower. After service as a SAC in Texas and Louisiana, he accepted a commission in the regular army and served until 1870. Having amassed a sizable amount of money (more than twelve thousand dollars in wealth in 1870), he soon entered Republican politics as Texas' first superintendent of public instruction. In this position he zealously performed his duties in the face of stiff, Democratic resistance. When Democrats regained political control of the state, they removed him from office, but he remained active in local, state, and national Republican party politics until his death in Austin in 1894.<sup>26</sup>

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<sup>25</sup> *Portrait and biographical album of Washtenaw County, Michigan, containing biographical sketches of prominent and representative citizens, together with biographies of all the governors of the state, and of the presidents of the United States* (Chicago: Biographical Publishing Company, 1891), 525-527; Gregory Barrett File, Pension Record.

<sup>26</sup> Tyler, ed., *New Handbook of Texas*, 2:565-566; *Austin American Statesman*, March 4, 1954; *Houston Post*, November 24, 1968.

Hiram Seymour Hall, a native New Yorker and lieutenant in the 43<sup>rd</sup> U.S.C.T., participated in every battle and campaign of the Army of the Potomac from July 1861 through April 1865. His “gallantry in action” at Gaine’s Mill won him the Medal of Honor. His bravery and skill brought him to the attention of Brigadier General Ambrose E. Burnside, who selected him to lead the ill-fated storming party after the explosion at the Battle of the Crater outside of Petersburg. In the charge, he lost his right arm, and he later remarked about the ordeal: “No more for me to lead my command on the field of battle, no more for me the thrill of fire that I had felt with my comrades on two-score fields of patriotic glory.” After his Bureau service at Marshall, Texas, Hall resumed his private life in Missouri and Kansas to live out his days as a farmer. One of the agents at Wharton, William H. Horton, lost his arm in battle and finished the war in the Veteran Reserve Corps. He left Texas after his stint as an agent and returned to Kentucky. Horton lived out the rest of his days in that state, working for the Internal Revenue Service until his death in 1893. Frank Holsinger, after leaving the Bureau, found his way to Kansas with his family. There he lived a rather normal – and financially successful – life (\$11,000 total wealth) as a farmer till his death in 1916.<sup>27</sup>

Farmers were the second largest group of Texas agents (n=18, or 17.1 percent). Only a few of them considered themselves planters. According to the statistics for the state at that time, a little more than one in three Texans listed farming or planting as an occupation in 1870. If added to those who listed some other agricultural-related occupation, the number climbs to more than 70 percent of Texans. The Bureau clearly underrepresented men from this occupation. These findings coincide with those of other studies, which suggest some Bureau officials shied away from farmers in appointments. In his study of the Freedmen’s Bureau and local white

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<sup>27</sup> Hiram Seymour Hall File, Pension Record; William H. Horton File, Pension Record; Frank Holsinger File, Pension Record; Ninth Census.



leadership in Virginia, Richard G. Lowe also found that the Bureau demurred at selecting farmers when choosing suitable officeholders for that state. Of the 18 agents in Texas who listed farming as their occupation in the 1870 census, only 8 had owned slaves. From this number, five could be considered planters (those who owned twenty or more slaves). In effect, approximately one in eight (7.6 percent) agents whose occupations were established (n=105) owned at least one slave. These percentages differ greatly from those in Georgia, where almost half (49 percent) the agents had owned at least one slave. Texas numbers were similar to those in Virginia, where only 10 percent of Bureau men were former slave owners. The paucity of planters in the Texas Bureau reflected the opinions of those heading the organization in the Lone Star State. Both E. M. Gregory and J. B. Kiddoo hesitated to appoint individuals of the planter class, for “they cannot be trusted with the interests of the freedmen.” In short, Bureau officials in Texas simply did not trust former masters with the welfare of their former slaves. It appears that personal preferences of each state’s assistant commissioner, rather than any overall Bureau policy handed down from Washington, explain the disparities.<sup>28</sup>

One school of thought in Reconstruction historiography indicts the Freedmen’s Bureau agents as tools of the planter class. Post-revisionist writers of the late twentieth century argue that the organization’s agents were themselves sometimes planters and that most agents intentionally circumscribed the former slave’s freedom in the interest of his former master. These agents allegedly too often placed order and economic stability above the interests of the freedmen. Considering numbers alone, the evidence for Texas appears to contradict this claim and suggests the Bureau in the state shied away from planters when choosing subassistant

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<sup>28</sup> J. B. Kiddoo to [O. O.] Howard, May 28, 1866, M752C, Letters Received, May-August 1866, reel 36; Ninth Census, *Statistics of Wealth and Industry*, 3:812; Lowe, “Freedmen’s Bureau and Local White Leaders in Virginia,” 461, 464; Cimbalá, *Under the Guardianship of the Nation*, 256; J. B. Kiddoo to O. O. Howard, May 14, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

commissioners, most likely for the very thing later scholars criticized them for. In sum, most farmers who were agents were not part of the planter aristocracy but of yeoman stock, and judging by the numbers, there are weaknesses in applying the post-revisionist paradigm to the Texas Bureau.<sup>29</sup>

Texas Bureau and census records indicate that Bureau men were generally in their late thirties (n=140, or 37.1 percent) in 1870. That would place the average individual generally in his early to mid thirties at the time of his appointment. Unfortunately, the census did not compute average age, so a comparison with the population as a whole is difficult. Comparison to the military, on the other hand, is possible, and since the Bureau came under the military's control and drew many agents from its ranks, the comparison is useful. The average Union soldier was 26.3 at the war's conclusion. The average SAC in Texas was about five to ten years older than his Billy Yank counterpart. The difference can best be explained by the high number of officers – either in the volunteer or regular army – in the Bureau in the state. From the entire population of agents who served in Texas (n=234), officers represented more than 67 percent (n=157, or 69 percent), all of whom attained the rank of 2<sup>nd</sup> lieutenant or higher. Characteristics of ideal officers – maturity, leadership, bravery, and the ability to abide by military protocol –

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<sup>29</sup> For works of the "post-revisionist" school, see Litwack, *Been in the Storm so Long*; Gerteis, *From Contraband to Freedman*; Robert Cruden, *The Negro In Reconstruction* (Englewood Cliffs: Prentice-Hall, 1969); Arvarh E. Strickland and Jerome R. Reich, *The Black American Experience: From Slavery Through Reconstruction* (New York: Harcourt Brace Jovanovich, 1974); McFeely, *Yankee Stepfather*; Daniel Novak, *The Wheel of Servitude: Black Forced Labor After Slavery* (Lexington, Ky.: University of Kentucky Press, 1979); Donna L. Franklin, *Ensuring Inequality: The Structural Transformation of the African American Family* (New York: Oxford University Press, 1997); Humphrey, "Failure of the Mississippi Freedmen's Bureau in Black Labor Relations," 23-37; Patrick Groff, "The Freedmen's Bureau in High School History Texts," *Journal of Negro Education* 51 (Autumn 1982): 425-433; Edmund L. Drago, "Black Georgia During Reconstruction" (Ph. D. diss., University of California-Berkeley, 1975); and James L. Owens, "The Negro in Georgia during Reconstruction, 1864-1872" (Ph. D. diss., University of Georgia, 1975).

could only be a benefit to the agents, and the Bureau's belief that officers possessed these qualities probably influenced their appointments.<sup>30</sup>

With many challenges inherent in Bureau work, such as long hours, immense paper work, and long inspection tours, all the while with little or no help, it was generally not a job for the old. Almost one in three (n=46, or 32.8 percent) agents in 1870 were forty or older, and of those agents whose age could be confirmed (n=140), slightly more than 12 percent (n=17, or 12.1 percent) had reached at least fifty. In spite of the selection of officers, who normally would be older than the men they led, these men would have still been young enough to meet the demands of Freedmen's Bureau service. Prewar politics might also have played a part in influencing the age of the applicants. As noted by Richard G. Lowe's study, the Virginia Bureau avoided members of the Democracy, the party most closely identified with secession and slavery. The average Bureau man in Texas would have been barely voting age and less likely to have been identified with the state's – or the South's – slaveholding politics.<sup>31</sup>

The Freedmen's Bureau drew its agents generally from those with wealth (real and personal property combined for the 1870 federal census) between \$1,000 and \$4,999.<sup>32</sup> On average, they held approximately \$2,604 in real estate and slightly less than \$1,331 in personal property, which totaled approximately \$3,935 in wealth (n=105). Some of these men owned property worth tens of thousands in dollars. Fifty-three individuals listed their total wealth (real estate + personal property) below \$1,000, with a significant portion of these only slightly below

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<sup>30</sup> Bell Irvin Wiley, *The Life of Billy Yank: The Common Soldier of the Union* (Baton Rouge: Louisiana State University Press, 1971), 303.

<sup>31</sup> Lowe, "Freedmen's Bureau and Local White Leaders in Virginia," 463.

<sup>32</sup> This bracket, \$1,000 to \$4,999 was taken from Randolph B. Campbell and Richard G. Lowe, *Wealth and Power in Antebellum Texas* (College Station: Texas A&M University Press, 1977), chapter 3. The amount of wealth between \$1,000 to \$4,999 is a good indicator of the middle class. Campbell and Lowe found that a plurality (48.9 percent) of white Texans had a total wealth within this bracket. With that many people, it can be claimed this was the middle class in mid-nineteenth Texas (See Campbell and Lowe, *Wealth and Power*, 46).

the one thousand dollar mark. Using measurements from the *Ninth Census, Statistics of Wealth and Industry*, and *Historical Statistics of the United States*, an average white head-of-household in 1870 held slightly more than \$2,141<sup>33</sup> in total wealth. Thus, Bureau agents in Texas held almost twice the amount of wealth as the average head-of-household (\$3,935 compared to \$2,141) in the United States in 1870.<sup>34</sup>

The findings for Texas differ from those in other Bureau studies. Paul A. Cimbala found an even more prosperous man. In his examination of the Freedmen's Bureau in Georgia, Cimbala discovered Bureau officials appointed men who, on average, were twice as wealthy as Texas agents (n~\$8,000).<sup>35</sup> Cimbala's population includes a much higher percentage of former slaveholders which helps explain the difference between Georgia and Texas SACs. The varying findings for these two states demonstrate that no one policy was imposed by officials in Washington, D.C. Instead, Bureau officials in each state were free to implement policies of their choosing, according to conditions within their districts.<sup>36</sup>

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<sup>33</sup> The total wealth in this study was computed by using the total assessed wealth from the country (14,178,986,732) divided by white heads-of-households (6,621,957). Black men and women household heads were not included, because their total wealth was inconsequential. According to his study of Harrison County, Randolph B. Campbell found the average black head-of-household to possess only \$29 in total wealth. In 1870 there were 956,096 black heads-of-households. Using Campbell's total for black heads-of-household s' total wealth (\$29) multiplied by the number of black heads-of-households in the country in 1870 (956,096) equals \$27,726,784 in total wealth. It would not be a stretch to conclude the total wealth of black household heads approximated this number. When this number is divided by 6,621,957 (white heads-of-households only) it equals a little more than \$4 per head. As a result, the average black head-of-household's wealth was not excised from the total wealth in the United States for it would have changed the overall average very little (see *Ninth Census, Statistics of Wealth and Industry*, 3:10; Randolph B. Campbell, *A Southern Community in Crisis: Harrison County, Texas, 1850-1880* (Austin: Texas State Historical Association, 1983), 301; and Susan B. Carter, et. al., *Historical Statistics of the United States: Earliest Times to the Present*, 6 vols. (New York: Cambridge University Press, 2006), 1:679-681).

<sup>34</sup> *Ninth Census, Statistics of Wealth and Industry*, 3:10; Carter, et. al., *Historical Statistics*, 1:680.

<sup>35</sup> Cimbala does not specifically state the average wealth (personal and real estate) of the 71 agents he found in Georgia's tax records. Nor does he list each agent's specific taxable property. Instead, he simply states those above a specified amount. For example, 15 agents had taxable property worth \$1,000 to \$4,999. As a result, the average for Georgia's agents is approximate, but still greatly exceeds the average wealth held by Freedmen's Bureau agents in Texas (See Cimbala, *Guardianship of a Nation*, 256).

<sup>36</sup> Lowe, "Freedmen's Bureau and Local White Leaders in Virginia," 460, 458; Cimbala, *Under the Guardianship of the Nation*, 256. For works showing the generally greater wealth of office-holders, see Randolph B. Campbell and Richard G. Lowe, "Wealthholding and Political Power in Antebellum Texas," *Southwestern*

Broken down by specific occupation, Texas agents in the farming profession averaged around \$3,861 in real estate (not unexpected) and slightly less than \$2,678 in personal wealth. Former slave owners far exceeded those yeomen farmers (those who did not own slaves) in both categories. Individuals in the legal profession (n=12) – lawyers, judges, and law enforcement – held just under \$2,367 in real estate and around \$1,583 in personal wealth. Soldiers (those whose wealth could be established in the 1870 census, n=43) possessed slightly more than \$1,000 (\$1,007) in real estate and slightly below \$802 in personal (the average of other occupations in the sample was not included because most of them included only one to three people).

Why would the Freedmen’s Bureau turn to such financially prosperous individuals? Certainly officials wanted those inspired to help the freedmen, imbued with good Republican ideology, and steeled for the trials and tribulations that awaited them in Texas; but these characteristics were hardly limited to the rich. The answer might partially lie with the high percentage of heads-of-households (80 percent of 105; n=84) or married men (59 percent; n=62), each contributing in its own way to increased wealth. The answer might also be explained by the constant struggle for funds that plagued the agency from its inception. With restraints on spending, including salaries for civilian agents and allocations for supplies, Bureau officials wanted individuals not reliant upon the salary and men with some disposable income.

Bureau officials rarely countenanced complaints about pay – a red flag for Bureau headquarters, indicating an agent’s commitment to money rather than to his duties – usually reminding the complainant of “[m]any requests for employment, the writers of which, are strongly recommended” and warning that “worthy and capable men can be procured to fill the

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*Historical Texas* 75 (July 1978): 21-30; and Lee Soltow, *Patterns in Wealthholding in Wisconsin since 1850* (Madison: University of Wisconsin Press, 1971).

vacancies.” A perusal of the records uncovers few complaints concerning monthly salaries (ranging from slightly less than \$100 a month to \$150 a month) and noticeable instances of subassistant commissioners purchasing supplies and providing charity out-of-pocket. With an organization as scrutinized as the Freedmen’s Bureau, the ever-present bureaucratic watchdogs in Washington, and the 19<sup>th</sup>-century philosophy on charity and government spending, officials had to stretch every dollar, and solvent agents helped in the stretching.<sup>37</sup>

Measurements of wealth and demographic traits are revealing, but they do not explain *why* these men wanted to be Bureau agents. Applications and letters of recommendation are littered with references to military service, northern origin, and other indicators of Union sentiment and loyalty. Applicants fell into two main groups: those with military service and those without. Those who served the Union effort typically highlighted their service to the war effort above all else. They definitely believed their sacrifice for the country was qualification enough for an appointment. Those lacking this experience – usually too old for military service – expressed their loyalty through claims of persecution by the Confederate government or resistance to secession.<sup>38</sup>

Civilian applicants followed expressions of loyalty most of the time with claims of compassion for the freedmen, an expression rarely seen in applicants with a martial background. The difference in the applications – besides the obvious fact of military service – might be explained by the applicant’s locality. Civilians, by and large, applied from the South. As a result, they probably needed to lessen skepticism and doubts held by those at Bureau

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<sup>37</sup> A. P. Ketchum, A.A.A.G., to J. B. Kiddoo, October 5, 1866, AC, Letters Received, 1866-1867, reel 6.

<sup>38</sup> For examples scalawag Bureau agents being persecuted during the war for their Union beliefs, see Johnathan T. Whiteside, Courtney, to E. M. Gregory, December 1, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; John H. Morrison to [E. M.] Gregory, [Spring 1866], AC, Letters Received, 1866-1867, reel 7; W. A. Howard to O. O. Howard, April 25, 1866, AC, Letters Received, 1866-1867, reel 6; Henry C. Pedigo to [E. M.] Gregory, January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

headquarters concerning their loyalty. Applicants from Union states, with military service and location attesting to their devotion to republican and Republican ideals, did not have to go as far in proving their loyalty. Such things certainly helped headquarters choose the “right kind of man” – a man committed to the ideals of the Old Flag. And certainly some of these men wanted to implement their ideals in a land seemingly devoid of them. Patriotism and republicanism appear to have touched all the agents in one form or another, but ideals alone fall short in explaining deeper and more personal motives. More practical reasons motivate some individuals.

The applicants stressed the opportunities Bureau service afforded to help the emancipated slaves. One of the first agents appointed, Eli W. Green, was moved by such a desire and “determined that the Negroes *shall not be imposed upon*” by unscrupulous whites. The agent at Liberty, A. H. Mayer, took great pride in his work. He not only wanted “to make [the South] my home,” but also wanted to protect the freedmen in their contractual rights, “particularly so, for the *just payment* of their labor.” Freedom and justice for the former slaves appeared to move George C. Abbott to service. The veteran of the United States Navy believed black men and women were now “Free American Cittizens [sic],” and he “determined that no amount of ignorance, rage, or wretchedness” would “bias” him in favor of “sleek and well-fed ex-Rebels who for four years past have been amusing themselves by hunting down and hanging Americans, who[se] only crime was loyalty to Government which had protected them when they were too weak to protect themselves.” He admitted never devoting much interest to these people prior to emancipation, and did not believe it “possible that I could become so deeply interested in these people.”<sup>39</sup>

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<sup>39</sup> Eli W. Green, Columbus, to Chauncey C. Morse, A.A.A.G., October 24, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; A. H. Mayer, Liberty, to J. P. Richardson, A.A.A.G., February 18, 1868, AC, Letters

“But now,” he confessed, “Freed men as they are, they seem to me more utterly friendless and defenceless [sic] than any people on the face of God’s earth.” Consequently, Abbott followed the rule, “Do as you would be done by.” Through his and others’ committed efforts, Abbott augured a not too distant time when the freed people “shall gain the rights that white men have. . . .” William H. Farner, a scalawag and resident of Brazos County, promised “that the rights and interests of the freedmen, women [and] children will be guarded with the same fidelity that I would those of my own household.” His future actions after leaving the Bureau, however, might cast doubt on his words, when some accused him of abuse toward the freedmen. Albert Evans, an officer in the 116<sup>th</sup> U.S.C.T., disregarded the possibility of personal harm. The officer stated his concern to Bureau officials “for the condition of the freedmen and their cries for help.” Evans wanted “to render some real benefit to them,” and believed any apathy on his part would “hinder” the government’s effort. With his muster out imminent, Evans begged Bureau officials to allow him to help solve the many problems the former slaves in Texas faced. “I would much prefer going north or anywhere else than to remain here so far as my personal comfort,” Evans admitted, “were it not for the condition of the freedmen and their cries for help. I want to render some real benefit to them.”<sup>40</sup>

Scalawag Philip Howard wanted to take part in the “best cause,” helping the “poor and oppressed negro.” On several occasions, he helped poor freedmen out of his own pocket. Regardless of his financial situation, Howard knew he was “doing a good service” for the former

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Received, 1867-1869, reel 13; George C. Abbott, Hempstead, to [E. M.] Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; A. H. Mayer, Liberty, to William Garretson, A.A.A.G., September 25, 1867, AC, Letters Received, 1867-1869, reel 13.

<sup>40</sup> George C. Abbott, Hempstead, to [E. M.] Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; George C. Abbott, Hempstead, to E. M. Gregory, November 23, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Farner to [E. M.] Gregory, November 25, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Albert Evans, Sherman, to J. T. Kirkman, A.A.G., February 17, 1867, AC, Letters Received, 1866-1867, reel 5; Albert Evans, Sherman, to J. T. Kirkman, A.A.A.G., February 1, 1867, AC, Letters Received, 1866-1867, reel 5.



bondsmen. With a little tinge of patriotism, Howard stated that his “convictions are to save the south from [another] Bloody Rebellion [and] to arm the Blacks with armes [sic] and the Ballot. . . .” Former slave owner James A. Hogue wanted to protect “the freedmen from injustice and fraud.” This scalawag claimed to have “no selfish motive” and desired the appointment “without compensation.” Hogue promised Bureau officials he would have a strong “moral influence” on his charges.<sup>41</sup>

John H. Morrison, a scalawag who called himself a refugee because he had to leave the state during the war, also appeared moved by the plight of the oppressed. Inspector and fellow Bureau agent William H. Sinclair described him as an “out and out Union man.” Morrison illustrated how outlaws harassed and threatened the freedpeople and Unionists in Anderson County. “I think these things should be nipped in the bud,” Morrison told Bureau officials, and he believed he was the man to do so. “I feel an interest in the welfare of the freedmen of my county,” Morrison stated, and despite all that has occurred, he promised that he would always be “found battling for the rights of the unfortunate and the prosperity of my county.” Former slave master and, it was later revealed, former Confederate official F. D. Inge wanted to “undertake to do justice to the freedmen” and bring “peace [to] my section” and “prosperity [to] my family.” Despite his course, which he defended as “honest if not judicious,” his appointment resulted neither in “peace to his section,” nor “prosperity for his family.” In fact, officials dismissed him as an agent because of his Confederate service. Moreover, Inge so angered the local white

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<sup>41</sup> Philip Howard, Meridian, to E. M. Gregory, March 22, 1866, AC, Letters Received, 1866-1867, reel 6; Philip Howard, Meridian, to [E. M.] Gregory, April 30, 1866, AC, Letters Received, 1866-1867, reel 6; Henry C. Pedigo to [E. M.] Gregory, January 25, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

citizenry by his actions during the war and afterwards during Reconstruction, that he had to flee to another county for his and for his family's safety.<sup>42</sup>

Along with equality for the former slaves, a few Texas agents also wanted to promote Radical Republican ideology. This ideology certainly encompassed other motivating factors, like free labor and political expediency, but the plight of the former slave swayed most of those who called themselves Radical. William Price, former soldier in the 1<sup>st</sup> Texas Cavalry (Union) and refugee (which might show his loyalty to the Union through resistance to the Confederacy), came highly recommended by Texas Republicans like E. J. Davis, A. J. Hamilton, and E. Degener, and each attested to his Radical Republicanism. So too were Hardin Hart and Mortimer H. Goddin. Although some of the agents described themselves as Radical Republicans and others just subscribed to aspects of the ideology, the evidence shows their numbers were quite small compared to Texas Bureau agents who identified themselves as conservative or moderate Republicans.<sup>43</sup>

The climate of the South seemed to be more of a factor for others. John H. Archer, former provost marshal at Indianola and "carpetbagger" from New York, wanted "to make his home in the South." He later accepted a position at Beaumont and remained in the area after his tenure with the Freedmen's Bureau. A former civilian employee in the Quartermaster Department, William J. Neely came to Texas with his family. He liked the climate, because it

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<sup>42</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., March 19, 1867, AC, Letters Received, 1866-1867, reel 8; John H. Morrison to [E. M.] Gregory, [Spring 1866], AC, Letters Received, 1866-1867, reel 7; F. D. Inge, Leona, to [J. B. Kiddoo], August 13, 1866, AC, Letters Received, 1866-1867, reel 6; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., July 9, 1866, Letters Received, 1866-1867, reel 4; Special Orders No. 96, July 28, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Thomas J. Mortimer to J. B. Kiddoo, January, 1867, AC, Letters Received, 1866-1867, reel 7.

<sup>43</sup> J. R. S. Van Vleet to [E. M.] Gregory, March 12, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William D. Price to [E. M.] Gregory, February 22, 1866, AC, Letters Received, 1866-1867, reel 7; Tyler, ed., *New Handbook of Texas*, 2:196-197.

greatly helped his health. As a result, Neely admitted that “I am now satisfied to remain here.”<sup>44</sup>

Many men answered the call to Freedmen’s Bureau duty because of patriotism. John Dix, a strong Unionist from Corpus Christi, experienced great persecution during the war. Because of his opposition to secession and resistance to the state Confederate government, Dix had his property confiscated, had his life threatened, and had his freedom threatened when indicted for treason late in the war. But despite all that he incurred, Dix claimed these actions “never in the slightest degree swerve[d] him from his loyalty.” The same could be said of J. Orville Shelby, a “gentleman of the highest personal social and moral worth.” (This is not the Confederate cavalry officer with the same name.) During the war, Confederates “insulted,” “outraged,” and “imprisoned” Shelby for his principles. In short, he claimed to be a “stirling [sic] patriot who would rather have lost his life than seen the enemies of his country triumph.” It seems men such as these two, having been persecuted for their Unionist beliefs during the war, wanted to serve the government they felt so strongly toward and deliver the same values and ideology, which they were persecuted for, to the former Confederates.<sup>45</sup>

Men like William H. Horton might have wanted Bureau service for a more practical reason. A former soldier in the Army of the Potomac, he lost his arm at Chancellorsville. He transferred to the Veterans Reserve Corps, a special branch of the military that allowed men with debilitating injuries to continue the war effort in other ways. The Freedmen’s Bureau drew from the VRC to make up for those lost to mustering out. In all, fifteen men from the corps served as subassistant commissioners in Texas. Edward Miller, who lost an arm at Williamsburg, seemed

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<sup>44</sup> John H. Archer to William H. Sinclair, A.A.G., September 19, 1866, AC, Letters Received, 1866-1867, reel 4; John H. Archer, Acting Provost Marshall, to William H. Sinclair, A.A.G., June 25, 1866, AC, Letters Received, 1866-1867, reel 4; William J. Neely, Victoria, to [Headquarters], September 9, 1868, AC, Letters Received, 1867-1869, reel 16.

<sup>45</sup> W. A. Howard to O. O. Howard, April 25, 1866, AC, Letters Received, 1866-1867, reel 6; Henry C. Pedigo to [E. M.] Gregory, January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Tyler, ed., *New Handbook of Texas*, 2:657.

“anxious to remain in the Service. . . .” Samuel A. Craig, Henry H. E(d)dleson, J. Ernest Goodman, James F. Hutchison, Isaac M. Beebe, Lemuel K. Morton, and Albert A. Metzner also served as officers in the VRC. Motivated to some extent by patriotism and a desire to help the emancipated slaves, all those in their situation most certainly wanted to prove their continued worth to the country and society in general.<sup>46</sup>

Others simply wanted to continue their service with the government. Charles Schmidt wanted an appointment after clerking for the Bureau for an extended time. Henry Young, who had been aiding the subassistant commissioners in the state capital for nearly a year, wanted to move up the ladder with the Bureau. Michael Butler, former seaman with the United States Navy, came to Texas with his brother after the war. He helped the local Bureau man at Huntsville and became “somewhat acquainted with the people and the duties of the office.” When that agent resigned, Butler asked to be considered as his replacement. George Eber, already employed with the Internal Revenue Service, was told by his friend and subassistant commissioner Charles Haughn that he could “get a situation in the employ of the U.S. Government.” Robert McClermont wanted to bring his family to Texas, but his service in the cavalry prevented “having any permanent post [for his family] to remain at.” In order to continue with the government and be at a post “two or more years,” McClermont applied to the Bureau.<sup>47</sup>

Men like Jacob C. DeGress, one of the first agents in the state, were more influenced by

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<sup>46</sup> Edward Miller, Millican, to Brvt. Maj. Gen. L. Thomas, Adjutant General, June 23, 1867, AC, Letters Received, 1866-1867, reel 7; William H. Horton, Bastrop, to J. P. Richardson, A.A.A.G., April 25, 1868, AC, Letters Received, 1867-1869, reel 12.

<sup>47</sup> Michael Butler to J. P. Richardson, A.A.A.G., April 20, 1868, AC, Letters Received, 1867-1868, reel 16; George Eber to C. S. Roberts, A.A.Q.M., March 7, 1868, AC, Letters Received, 1867-1869, reel 11; Robert McClermont to J. B. Kiddoo, August 30, 1866, AC, Letters Received, 1866-1867, reel 7; Charles Schmidt to J. J. Reynolds, March 12, 1868, AC, Letters Received, 1867-1869, reel 15; C. S. Roberts, Austin, to O. O. Howard, September 19, 1868, AC, Letters Received, 1867-1869, reel 12.

free labor, for nearly every letter refers to the state of labor relations in his district. The Bureau agent at Indianola, Eugene Smith, noting few plantations in Indianola, also put high priority on protecting contractual rights. “I cannot do the good here,” he stated to Bureau headquarters, “that was intended by the Bureau.” Some may claim that since the main objective of the Bureau was to regulate the labor situation in the state, it would be natural for these and other agents to include references to labor in their reports. A perusal of all the correspondences between agents and Bureau headquarters does not exactly show this, however, because not all SACs focused attention on the same issues. In fact, a way to help discern the motivations of applicants is to see what they focused on after their appointment. In short, how they comprehended the agency sheds light into their motivations for entering the agency.<sup>48</sup>

In the emotionally and politically charged Reconstruction era, it is certain some entered Bureau service for other than noble motives. Some held a vengeful spirit toward the vanquished. Simply put by one agent in a moment of unfiltered honesty, “[my] most selfish motive . . . is to show my former oppressors that they were, and not I, ‘wrong.’” Consider the case of William Longworth, the agent at Sutherland Springs, Wilson County. He strove to make his district a “model one,” by vigorously protecting the economic and civil interests of the freedmen. Instead, in his pursuit of justice for the former slaves, Bureau officials concluded “he has often done great injustice to them.” A Unionist during the war, Longworth used his office to exact revenge on his wartime tormentors. He likened Reconstruction to war. “In or out of office,” Longworth wrote, “I am always in the Front receiving the brunt of the battle, for me there is no recreation and to me there will be no mercy shown by my political opponents.”<sup>49</sup>

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<sup>48</sup> Eugene Smith, Indianola, to Chauncey C. Morse, A.A.A.G., January 1, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

<sup>49</sup> William Longworth, Sutherland Springs, to [E. M. Gregory], January 15, 1866, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, Galveston, to Henry A. Ellis, A.A.A.G., October 7, 1866, AC,

As in war, Longworth believed one must never give quarter to or compromise with the enemy. “There is no word in the language that causes my [blood] to rise equal to that of, Conciliation,” he declared. “[Y]ou might as well try to conciliate a pack of Hyenas by throwing one of your children to them with the hope of saving the rest.” An investigation found that Longworth unnecessarily antagonized the white community and was motivated by a “vengeful spirit.” He often encouraged freedmen to bring suits against employers in cases that had already been resolved to the satisfaction of both parties, and then would impose an “arbitrary and unjust” fine. Considering his actions, the inspector stated to Bureau headquarters that “I am truly surprised (considering the style in Texas) that he was not summarily dealt with by some one during his administration” for “in many communities he would have been.” In his application letter Longworth yearned “to ameliorate the condition of the Negro,” but through his unwise course and vindictive manner, he appeared only to have worsened it.<sup>50</sup>

Finally, the stark reality was that most applicants simply needed employment, no matter how selfless their other motives. John H. Morrison’s application highlights a realistic aspect of applying to the Bureau. Bothered by white Texans’ treatment of freedmen in Anderson County and concerned for “welfare [sic] of the Freedmen,” Morrison nevertheless needed the appointment because the war left his family “with but little of this world’s goods.” He further reminded Bureau officials that he “sacrificed all I had for the good of the cause. He informed them that during the war he had to leave his family, and “during my absence all my property was squandered. . . .” Agents Mahlon E. Davis, David S. Beath, and a number of others also

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Letters Received, 1866-1867, reel 5; William Longworth, Sutherland Springs, to J. B. Kiddoo, November 12, 1866, AC, Letters Received, 1866-1867, reel 6.

<sup>50</sup> William Longworth, Sutherland Springs, to [E. M. Gregory], March 9, 1866, AC, Letters Received, 1866-1867, reel 6; William H. Sinclair, Galveston, to Henry A. Ellis, A.A.A.G., October 7, 1866, AC, Letters Received, 1866-1867, reel 5; William Longworth to [E. M.] Gregory, October 28, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

expressed desire for work as they faced financial uncertainty.<sup>51</sup>

After his muster out, Patrick F. Duggan, “with a view of becoming a resident of the South,” wanted someone to “confer a favor on me by assisting me to a position in some of the offices of the other department of this State.” George Johnson needed the appointment as his muster out neared. “I have the honor to respectfully request the appointment . . . at any Station in Texas you may designate,” Johnson noted in his application. “My term of Service expires [soon].” He must have found a better offer, because shortly after receiving his appointment as an agent in Texas, Bureau headquarters revoked it due to his “having reconsidered his application.” William Holt, willing to go anywhere in Texas, also was prompted by his impending discharge from the military. N. H. Randlett had a more pressing reason for his desire for employment. With his muster out imminent, Randlett seemed greatly worried about providing for his family, which he had brought to Texas, and pressed for reappointment as a civilian agent.<sup>52</sup>

Philip Howard also applied to the Bureau for monetary reasons. He complained that the war “crippled me in the way of money.” A. F. N. Rolfe, a graduate of Oxford University and college professor in the Northeast, found the academy did not “pay anything of importance, and that the coming year gave no [financial] prospects.” An appointment in the Freedmen’s Bureau would ease his financial problems. “I hope you may be able, without detriment to the Service,” he wrote, “to please a stranger amongst strangers in a position of relief.” Edwin Finch, a local resident in Hill County and a scalawag agent, professed to be “a thorough, out and out Union

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<sup>51</sup> John H. Morrison, Palestine, to [J. B. Kiddoo], June 7, 1866, AC, Letters Received, 1865-1866, reel 7; John H. Morrison to [E. M.] Gregory, [Spring 1866], AC, Letters Received, 1866-1867, reel 6; Mahlon E. Davis to William H. Sinclair, A.A.G., September 4, 1866, AC, Letters Received, 1866-1867, reel 5; David S. Beath to J. J. Reynolds, July 9, 1868, AC, Letters Received, 1867-1869, reel 16.

<sup>52</sup> Patrick F. Duggan to J. T. Kirkman, May 29, 1867, Letters Received, 1866-1867, reel 5; George Johnson to Charles A. Vernou, A.A.A.G., August 4, 1868, AC, Letters Received, 1867-1869, reel 16; J. J. Reynolds to O. O. Howard, August 30, 1868, AC, Letters Received, 1867-1869; Brvt. Maj. W. Harper, Jr., to C. S. Roberts, A.A.G.M., August 21, 1868, AC, Letters Received, 1867-1869, reel 16; N. H. Randlett, Palestine, to C. S. Roberts, A.A.A.G., December 30, 1867, AC, Letters Received, 1867-1869, reel 14.

man.” For his stance during the war, Finch “suffered,” which caused him “now [to be] quite destitute.” Albert Evans, who wanted to return north at some time, lacked the immediate funds and requested employment until “I can get a settlement.”<sup>53</sup>

Then there is the case of James Burke. A native of the South, he claimed to be an “*original union man* – a lifelong hater of slavery.” He further added that his unionism was present before, during, and after the war, and that he voted against secession and gave no willing aid to the Rebellion. Burke held a “deep interest in the education of Freedmen,” and promised to “*honestly and earnestly*, to the best of my ability, endeavor to discharge my duty.” Bureau officials later relieved him from duty when they discovered he ran – but lost – for local office in Confederate Texas during the war. As a result, Burke could not take the federal ironclad oath. Perhaps Burke might have been like countless other men who accepted change and embraced the current course from Washington. Reconstruction historian Richard G. Lowe finds such individuals in his study of prospective office holders in Virginia. But Burke himself shed light on his reason for applying to the Bureau when he informed the agency’s headquarters that “I desire the office. I *need* it.” Nevertheless, as shown by Lawrence Powell’s research and viewed in the light of the importance of earning a living, these men’s explicit solicitation for employment does not nullify their other motives.<sup>54</sup>

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<sup>53</sup> Philip Howard, Meridian, to E. M. Gregory, March 22, 1866, AC, Letters Received, 1866-1867, reel 6; A. H. M. Taylor to General, August 29, 1867, AC, Letters Received, 1867-1869, reel 16; A. H. M. Taylor, A.A.A.G., to O. O. Howard, August 29, 1867, AC, Letters Received, 1867-1869, reel 16; A. F. N. Rolfe to J. J. Reynolds, November 13, 1867, AC, Letters Received, 1866-1867, reel 7; Edwin Finch to Gen. Charles Griffin, June 20, 1867, AC, Letters Received, 1867-1869, reel 11; Albert Evans, Sherman, to J. T. Kirkman, A.A.G., February 17, 1867, Letters Received, 1866-1867, reel 5.

<sup>54</sup> James Burke to O. O. Howard, May 1, 1868, AC, Letters Received, 1867-1869, reel 10; James Burke to Charles A. Venou, A.A.A.G., May 29, 1868, AC, Letters Received, 1867-1869, reel 10; James Burke to J. J. Reynolds, June 2, 1868, AC, Letters Received, 1867-1869, reel 10; Lowe, “Freedmen’s Bureau and Local White Leaders in Virginia,” 465-472; Lawrence Powell, “The Politics of Livelihood: Carpetbaggers in the Deep South,” in *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward*, eds., J. Morgan Kousser and James S. McPherson (New York: Oxford University Press, 1982): 315-347.



The evidence shows that many things motivated these men. But what most motivated them? Was it patriotism or an opportunity for revenge against former Confederates? Were these men simply in need of employment? Or did they focus on the Freedmen's Bureau's mission and goal and wish to take part in helping the former slaves adjust to freedom? As with so many things involving people, there rarely is a single answer, but rather a combination. To say these men were motivated by this reason or that one greatly oversimplifies the complicated. It appears these men were driven to Bureau service by several motives.

Of course, each agent wanted a job. But it might well have been easier, safer, and, most definitely, financially better to have found employment in a different occupation. Thus, these men had far deeper reasons for wanting the responsibilities of a SAC than just employment. In fact, what appears to have motivated most Bureau men in Texas, to a great degree, was their honest desire to help the former slaves. They earnestly wanted to help the most helpless, and, in the words of one agent, not allow them to be cast adrift. The white community knew this, as witnessed by the endemic antagonism toward Bureau men throughout the Freedmen's Bureau's existence. More important, the freedmen knew this, as witnessed by their numerous requests for guidance, their many appeals for assistance, and their strong trust in the men of the Bureau. Too many examples exist of agents protecting the freedpeople from white abuse, and too few examples exist to the contrary, to conclude anything else. "In sum total," stated William H. Heistand, the agent at Hallettsville, "my duties consist [looking] over the interest of the Freedpeople and in acting as their adviser and protector" Whatever their reason or motivation, most who applied to the Bureau shared one thing in common: the proud satisfaction of doing one's best, regardless of the outcome. In a report to superiors, Bureau agent John T. Scott relayed to officials his self-evaluation of the work he had done within his district at Victoria. "I

have tried to do the best I could for all parties,” he declared to superiors, “and it may be hard for any one not upon the spot to understand.”<sup>55</sup>

In summary, in selecting subassistant commissioners, Bureau officials in Texas wanted men able to meet the challenges that arose from emancipation. They chose northern-born, mature, white men from the middle and upper-middle class, and generally men with military experience. They shied away from southern-born men who had been part of the planter class of the Old South. Bureau officials, with their appointments, addressed not just the needs of the freedpeople, but also something else. In a very hopeful sense, Reconstruction was a process to remake the South in the image of the capitalistic and republican North. But it also was in a much more practical sense a time to prevent the South from trying to break up the country again and restore order where chaos had existed. This could be achieved only by wiping away the last vestiges of slavery and secession, and patriotic Union men of the North were more likely to advance the new order than anyone else.

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<sup>55</sup> William H. Heistand, Hallettsville, to A. H. Lathrop, A.A.A.G., December 31, 1866, SAC, Letters Sent, May-June 1866 and October 1866-March 1868, reel 21; John T. Scott, Victoria, to Captain, January 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Patrick F. Duggan, Columbia, to Mr. Ship, September 25, 1867, SAC, Letters Sent and Registers of Letters Received with Endorsements, April 1867-November 1868, reel 15.

## CHAPTER 2

### “THE POST OF GREATEST PERIL”: THE E. M. GREGORY ERA, SEPTEMBER 1865-APRIL 1866

On March 3, 1865, after much debate and compromise, Congress created, according to W. E. B. DuBois, one of the most “singular and interesting of the attempts made by a great nation to grapple with vast problems of race and social condition.” The Freedmen’s Bureau functioned under the auspices of the War Department and was responsible for the freedpeople’s transition from servitude to freedom during Reconstruction. The organization confronted a daunting task, the likes of which had never been tried before, and one that some people and forces would make very difficult.<sup>1</sup>

Such an undertaking required the right kind of man – someone imbued with patience and a sense of purpose, yet studied in managerial and bureaucratic ways. It required a special individual, one who saw the freedman “not as he was supposed to be in 1865 – illiterate, child-like, improvident, inferior – but as a man with the same potentialities as any other man.” Washington officials selected Oliver Otis Howard to head this unprecedented and ill-defined organization. He would be the only commissioner in the Freedmen’s Bureau’s seven-year existence. Many applauded his appointment, but few envied him. “I hardly know whether to congratulate you or not,” Major General William T. Sherman stated to his friend and former subordinate during the war. “I cannot imagine [matters] that involve the future of 4,000,000 souls could be put in more charitable and more conscientious hands . . . I fear you have Hercules’s task. . . .” A general during the war and legendary for his Christian faith, Howard earned a reputation as a humanitarian and righteous, if not brilliant, soul. An agency existed

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<sup>1</sup> W. E. B. DuBois, “The Freedmen’s Bureau,” *Atlantic Monthly* 87 (March 1901): 254; *Statutes at Large, Treaties, and Proclamations of the United States of America from December, 1863, to December 1865*, 119 vols. (Boston: Little, Brown and Company, 1866), 13:507-509 (hereafter cited as *Statutes at Large*).

only on paper at the time of his appointment. Years later in his *Autobiography*, Howard remembered Secretary of War Edwin Stanton handing him a basket and remarking with a smile, “Here, general, here’s your Bureau!”<sup>2</sup>

With his organization literally in both hands, Commissioner Howard began to man it with personnel. He initially appointed ten (later twelve) subordinates throughout the former slaveholding South. These men, called assistant commissioners, oversaw Bureau operations within their specified jurisdictions, each of which comprised one state. In July 1865 Howard requested and received approval from the War Department to appoint E. M. Gregory for Bureau service. Gregory entered the army in 1861 with the 91<sup>st</sup> Pennsylvania Volunteer Regiment, a unit in the V Corps of the Army of the Potomac. He fought at Antietam, was wounded at Fredericksburg and Chancellorsville, was brevetted and promoted for his action before Petersburg, and witnessed the Confederate surrender at Appomattox. Such action during the war won him many admirers. Debate exists among historians about the extent of his abolitionism. Less disputed, however, was his commitment to the former slaves. Howard believed Gregory so genuine and “fearless of opposition or danger” that he specifically sent him to Texas, an assignment the commissioner believed “the post of greatest peril.”<sup>3</sup>

Gregory arrived in Galveston in early September 1865 and assumed responsibility for the freedmen from the military. Since mid-June, when Brevet General Gordon Granger announced to Texans the Emancipation Proclamation, the military had been responsible for the former

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<sup>2</sup> Carpenter, *Sword and Olive Branch*, 91; Howard, *Autobiography*, 2:216, 208; Ezra J. Warner, *Generals in Blue: Lives of the Union Commanders* (Baton Rouge: Louisiana State University Press, 1964), 237-239.

<sup>3</sup> Howard, *Autobiography*, 2:218; Tyler, ed., *New Handbook of Texas*, 3:330-331; Mark M. Boatner, III, *The Civil War Dictionary* (New York: David McKay Company, Inc., 1959), 358. McFeely calls Gregory a “radical Abolitionist.” Richter believes Gregory was a “committed abolitionist.” Crouch, however, doubts Gregory’s abolitionism. Nor did Commissioner Howard ever mention his subordinate being an abolitionist. (See McFeely, *Yankee Stepfather*, 68; Richter, *Overreached on All Sides*, 7; Crouch, *Freedmen’s Bureau and Black Texans*, 15; and Howard, *Autobiography*, 2:217-218).

slaves. Gregory kept much of what the military had started. Other than a few guidelines and recommendations on the construction of the Bureau in Texas and some wise advice by Howard to refrain from “incendiary” speeches and “ill-advised” policies, the assistant commissioner, for the most part, was free to use his best judgment. Gregory located his agency’s headquarters in Galveston. The major port of entry to Texas and one of the most populous cities of the state, it was an obvious choice. After organizing his headquarters staff, the Bureau’s chief personally toured the state. Gregory relied very heavily on these tours and took four in only nine months’ service in Texas. They were a way for him to gain valuable information. Gregory generally found that the war had barely touched the state. In a few places, the “breakup” ushered in chaos and unabated violence. But in other portions of the state life went on relatively unchanged. Things were so unchanged in the interior of the state that many slaves had not yet been informed of their changed status.<sup>4</sup>

With information from his tours, Gregory began sifting through applications for positions. It was important to choose wisely for these men would be the flesh and blood of the organization. But the prospective applicant pool was limited. With no funds allocated for

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<sup>4</sup> Letter of Advice to Assistant Commissioners from O. O. Howard, June 14, 1865, Letters Sent, May 16-December 30, 1865, Selected Series of Records Issued by the Commissioner of the Bureau of Refuges, Freedmen, and Abandoned Lands 1865-1872, Record Group 105, National Archives and Records Administration, Washington, D.C. (Microfilm M742, reel 1), hereafter cited as M742C; E. M. Gregory to O. O. Howard, September 21, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; O. O. Howard to Bvt. Gen. Gordon Granger, July 17, 1865, M742, Letters Sent, May 16-December 1865, reel 1; Bvt. Maj. Gen. Christopher Columbus Andrews, “Speech at Brenham, Texas, July 20, 1865,” in *Early Steps in Reconstruction: Speeches by General C. C. Andrews of Minnesota in Texas and Arkansas* (Washington, D.C.: Union Republican Congressional Committee, 1865): 2-3; F. W. Emery, A.A.G, District of Texas, to Col. John Kelly, June 28, 1865, *The War of the Rebellion: The Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C.: Government Printing Office, Office, 1889-1903), series 1, vol. 48, pt. 2, pp. 1017-1018. For reports on Gregory’s initial trips into the countryside, see E. M. Gregory to O. O. Howard, September 21, October 31, and December 9, 1865, and January 31, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Allan Ashcraft, “Texas, 1860-1866: The Lone Star State in the Civil War” (Ph. D. diss., Columbia University, 1960), 255-259; Brad R. Clampitt, “The Breakup: The Collapse of the Confederate Trans-Mississippi Army in Texas , 1865,” *Southwestern Historical Quarterly* 108 (April 2005): 499-536; Thomas North, *Five Years in Texas* (Cincinnati: Elm Street Publishing Company, 1871), 183-184; and Charles W. Ramsdell, “Texas From the Fall of the Confederacy to the Beginning of Reconstruction,” *Quarterly of the Texas State Historical Association* 11 (July 1907-April 1908): 199-219.

civilian agents and few willing to do the work for free, officers had to be drawn from regiments already in Texas. The organization would have been nothing more than a dream without the military. Drawing from army personnel had certain disadvantages. At war's end, the Union high command began demobilizing volunteer units and redeploying regular army forces to the frontier and Mexican border. Gregory often requested an individual for "duty in this Bureau" only to receive a terse reply stating the requested individual's regiment had been mustered out. Another hurdle was the military itself, as bureaucratic and self-serving as any other body. More than a few officers would resist detached duty in the Freedmen's Bureau, especially if he was to simultaneously serve as subassistant commissioner and commanding officer, greatly stretching his time, his patience, and his abilities. Sometimes the officer desired was still enlisted and his superiors were less than willing to release him. The army resisted losing its better personnel for Freedmen's Bureau service. Furthermore, it would not be a stretch to assert that the armed forces occasionally used the opportunity to purge some "troublesome" individuals from its ranks.<sup>5</sup>

Gregory initially asked for only fifteen officers, believing that number adequate to meet the needs of the state. Inspector General of the Freedmen's Bureau William E. Strong, however, pressed for fifty. "The campaign of an army through the eastern part of the State, such as was made by General Sherman in South Carolina," Strong concluded, "would improve the temper and generosity of the people." Realizing the enormity of the task, the assistant commissioner asked his boss for an additional fifteen men a few months later – although he really wanted an additional seventy. The request for even the smaller number was denied, however. With no additional agents for the foreseeable future, the initial twelve subassistant commissioners would

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<sup>5</sup> Olds, "Freedmen's Bureau as a Social Agency," 120, 246. For requests by E. M. Gregory for particular officers and returns, see E. M. Gregory to C. H. Whittelsey, A.A.G. for October through December 1865 in AC reel 17.

have to do. Gregory assigned SACs to places of greatest need or importance. Hiram Seymour Hall, Jacob C. DeGress, and John Scott made their posts at Marshall, Galveston, and Victoria, respectively. Others had assignments at the main hubs for shipments of crops to market from the interior, such as George C. Abbott at Hempstead, William H. Farner at Millican, Ira P. Pedigo at Woodville (Tyler County), and F. D. Inge in Leon County. Oliver H. Swingley was appointed to Austin, the state capital. The remaining SACs received appointments to regions with large black populations: B. J. Arnold at Brenham, John T. Raper at Columbus, John F. Brown at Grimes, and Johnathan T. Whiteside at Courtney (Grimes County) all fit this description.<sup>6</sup>

Of the first twelve SACs, seven served the Union in the war, including one in the navy. Most came from the volunteer services, and one served as an officer in a colored unit. To help offset the manpower shortage, Gregory, with cautious encouragement from superiors, turned to civilians. William H. Farner was a physician, and Ira P. Pedigo was a lawyer and lumber businessman. John F. Brown, Johnathan F. Whiteside, and F. D. Inge were in the agricultural business, and the latter had owned slaves. These civilians declared their willingness to serve as agents without pay so long as they could remain in their current jobs and serve within their home counties. These men, at least on the surface, benefitted the agency. First, Bureau agents could be appointed at no expense to the government. Second, these men knew the community's surroundings and people – although some historians would not see this as a plus – and might be viewed less as outsiders. Finally, the occupations of these and future civilian agents, especially in the legal professions, would be particularly helpful. On the other hand, they had to work other

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<sup>6</sup> William E. Strong, Inspector, to O. O. Howard, January 1, 1866, *House Executive Documents*, 39<sup>th</sup> Congress, 1<sup>st</sup> Session, No. 70, 313; E. M. Gregory to O. O. Howard, September 21, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; Richter, *Overreached on All Sides*, 37; Circular No. 2, December 5, 1865, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

jobs for support, therefore, they split their time and commitment.<sup>7</sup>

Because of the Freedmen's Bureau bill's "disfigured" and "loose and indefinite phraseology," Gregory himself had to ensure uniformity for his district – a difficult task considering his vague mandate. Bureau agents were to oversee the transition from slave to free labor. They were to dispel any ideas the freedmen might have of not working. In addition, SACs had to ensure the civil rights of the freedpeople as well as inculcate in them a respect for the law. White Texans also had to be educated to the freedpeople's new status and taught that old ways would not be tolerated. When civil officials failed to render impartial justice, agents had authority to adjudicate "all cases arising between Freedmen themselves or between Freedmen and white persons" and "between whites when the matter in dispute relates to freedmen." Nonetheless, they were to dispense color blind justice, for only "a spirit of fairness and great discretion . . . may conquer the opposition of all reasonable men." The military would lend assistance and protection to each Bureau agent in the performance of his duties upon request. Since the Freedmen's Bureau functioned under the army, each subassistant commissioner was subject to its justice. Once they were made aware of their responsibilities, the new agents fanned out to their posts.<sup>8</sup>

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<sup>7</sup> O. O. Howard to E. M. Gregory, September 6, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17. All occupations were obtained in the Manuscript Ninth Census and slave owning status in the Manuscript Eighth Census of the United States, 1860, Schedule II (Slave Population), Record Group 29, National Archives and Records Administration, Washington, D.C. (Microcopy No. 653).

<sup>8</sup> James Speed, Attorney General, to E. M. Stanton, Secretary of War, June 22, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Circular No. 1, October 12, 1865, AC, Issuance and Rosters of Bureau Personnel, October 1865-April 1869, reel 19; Endorsement of letters by Samuel C. Sloan, Brenham, to William H. Sinclair, A.A.G., May 26, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; O. O. Howard to E. M. Gregory, November 3, 1865, M742C, Letters Sent, May 16-December 30, 1865, reel 1; Crouch, *Freedmen's Bureau and Black Texans*, 15; Paul Moreno, "Racial Classifications and Reconstruction Legislation," *Journal of Southern History* 61 (May 1995): 271-304; Herman Belz, *A New Birth of Freedom: The Republican Party and Freedmen's Rights, 1861 to 1866* (New York: Fordham University Press, 2000), 92-112; Herman Belz, "The Freedmen's Bureau Act of 1865 and the Principle of No Discrimination According to Color," *Civil War History* 21 (September 1975): 197-217; Circular No. 22, December 22, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.



Before these men could begin their work, however, they needed to establish an office and find quarters. The two often ended up being the same. With complainants calling on the Bureau's authority at all hours of the day, rarely paying attention to office hours, and the Bureau refusing to pay for an SAC's lodging, it was usually necessary to combine living and working spaces. Rent for office space ranged from three dollars to fifteen dollars a month, and any amount above that was often questioned by officials at headquarters. Requisitions for rent had to be sent to Bureau headquarters, where if agreed to by officials in Washington (later by a board at headquarters in Galveston), the proprietor received a monthly check. In no instance was the Bureau agent supposed to pay out-of-pocket for official business (a rule that, due to circumstances, soon became impractical).<sup>9</sup>

Bureau headquarters required the office to be in a convenient and accessible location. Many men established their offices at the county seat or most important city in their subdistrict. In districts comprising more than one county, however, the office was in the most populous and important county in the district. This sometimes placed the office on the edge of the district. Office hours were generally the standard 9:00 in the morning to 5:00 at night, with variations a few hours earlier or later depending on the season. In reality, Bureau men soon discovered that complainants rarely respected set hours, and many an agent answered calls well into the night and early morning.<sup>10</sup>

Finding quarters appeared on the surface to be the easiest of tasks, and for many it was. But for others, procuring an office was troublesome. "[E]very where I stop to get meals and accommodation," one harassed Bureau man reported, "they charge me the highest *specie* price." He described the experience as "humiliating." H. W. Allen at Hempstead, a city northwest of

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<sup>9</sup> Circular No. 11, July 12, 1865, TxAGO, Box 401-861, Folder 861-21.

<sup>10</sup> Ibid.

Houston, in early 1866 informed superiors about his landlady. She complained, he reported, when he took business out in the hallway instead of in his room, and she “forbids its continuance.” Allen believed he might be justified to secure another office, but he wanted permission before acting. A week later, after no response from superiors, a frustrated Allen reiterated his problems and wishes in another letter to Galveston. His superiors took offense to his letter, however, which certainly expressed his frustration and aggravation with the situation and, to a great extent, with them. “This communication is impertinent and uncalled for,” responded William H. Sinclair, acting adjutant general, to Allen’s letter. “[A] repetition of such language will not be overlooked.”<sup>11</sup>

Conflicts between proprietors and agents continued throughout the Freedmen’s Bureau’s existence. In late 1866 William H. Rock at Richmond shared a tent with the post commander. In spite of the cramped conditions, Bureau officials preferred this situation to an office in town, which was “a mile from Camp and surrounded by bad influences.” As late as 1868, the Tyler agent Gregory Barrett had to room at a hotel in town. Since “all the boarders have left it on account of my presence,” the agent wrote, the owner “will be compelled to close up shortly.” Barrett requested further appropriations to rent a house because “board cannot be obtained at any private house.” One Bureau inspector discovered with some embarrassment that Charles C. Hardenbrook had an office near a restaurant kitchen. The inspector complained that this “hardly sustain[ed] the dignity of the ‘Bureau’ or *that dignity* which should characterize the position he occupies.” Proprietors refused to rent to SACs for various reasons, some being racial, some being economic, and some being personal. Considering the Freedmen’s Bureau’s purpose, most

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<sup>11</sup> Charles E. Culver, Cotton Gin, to J. T. Kirkman,[A.A.A.G], June 26, 1867, AC, Letters Received, 1866-1867, reel 4; H. W. Allen, Hempstead, to William Sinclair, A.A.G., June 5, 1866, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., June 7, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

white Texans disdained its very existence. The arrival of a subassistant commissioner represented a change in the relationship between whites and blacks and symbolized a constant reminder of military defeat and humiliation. Furthermore, some white Texans believed Bureau agents cavorted with the former slaves in ways that offended southern white sensibilities. In effect, local whites believed Freedmen's Bureau men and their behavior odious and tawdry and kept their distance.<sup>12</sup>

Even if an SAC found a local who would rent an office or living space, Bureau men still faced resistance and ostracism. For example, Samuel A. Craig at Brenham remembered that the local whites completely ignored him in social settings. "I was utterly tabooed in social ways," he said, "[A]t Church no one would come into the seat with me; even at entertainments they avoided the place where I sat, in the Court House the same, my uniform seemed to be sufficient notice." He found a place to room and had one Unionist man as a roommate (in fact, this man, according to Craig, was his only acquaintance outside of official business). Craig boarded with a widow lady and "her quite pretty daughters." He recalled that all five of them "ate three meals a day together [and] the mother, perhaps because of necessity, waited upon us with only business conversation, no more." In fact, Craig remembered how the woman never introduced the two daughters to him and his Unionist roommate, nor did the girls ever speak to either one of the two men. Craig found this almost incredible, considering they "had social friends coming and going" and that "we lived in the same house." Craig's treatment contradicts occasional claims of "social acceptance" by the white community to help circumscribe the recently freed slaves. Frankly, his treatment – and that of many of his fellow agents – by whites in their districts makes it quite hard

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<sup>12</sup> William H. Sinclair, Inspector, Galveston, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., June 24, 1868, AC, Letters Received, 1867-1869, reel 10; L. J. Warner, Inspector, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Letters Received, 1866-1867, reel 9.

to believe these men would ever be accepted by the white community so long as they were Bureau agents.<sup>13</sup>

For some Bureau men, the difficulty came not from white Texans, but from those back at headquarters in Galveston. In fact, Bureau officials sometimes hindered and frustrated Bureau agents more than white Texans. One example best describes the frustration some Bureau agents experienced when dealing with their superiors as they attempted to procure office space. It further highlights the belief held by a number of agents that officials at headquarters sometimes trivialized and ignored problems they faced in the field. “The endorsement of the board [the Bureau had a board in each state to determine office rent and guidelines for procurement of an office] in regard to the *little* matter of office rent is . . . calculated to cut,” wrote a frustrated P. B. Johnson from Woodville in 1867. “When I find that I am not more respected by the officers of the Bureau, I shall not consider myself a proper person [to] fill the important functions of S.A. Com.” To further get his point across, Johnson added, “I do not mind any of my applications to be simply disapproved; that, I can understand, and have no right to question. But in this, there seems to be query: ‘Why an office at one place costs more than at another[?]’” This aspect of life as a Bureau agent, the difficulty men experienced in finding an office and living space, has been generally overlooked by historians.<sup>14</sup>

Once agents had an office, they then had to furnish it. Throughout the Freedmen’s Bureau’s existence, its field agents routinely complained about the difficulties in obtaining – as well as the lack of – office furniture and receiving from headquarters the required amount of

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<sup>13</sup> Samuel A. Craig, “Memoirs of Civil War and Reconstruction,” Civil War Times Illustrated Collection of Civil War Papers, U.S. Army Military History Institute, Carlisle Barracks, Pennsylvania, p. 79; Johnathan M. Wiener, *Social Origins of the New South: Alabama, 1865-1885* (Baton Rouge: Louisiana State University Press, 1978), 55-56.

<sup>14</sup> P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., June 1, 1867, AC, Letters Received, 1866-1867, reel 6.

office supplies (i.e., pens, ink, stationery, etc.). Problems arose not so much because of white Texans' actions or attitudes but because of bureaucracy's nature and the frugality of 19<sup>th</sup>-century American government. The agency was supposed to draw supplies from the military, but this caused much delay and confusion. Some in the Quartermaster Department did not feel "authorized to serve the officers of this Bureau." Levi Jones's office at Hempstead lacked the basic accoutrements, and he believed it "unfit for an office." Writing from Sutherland Springs in January 1866, William Longworth, frustrated by his unsuccessful attempts to have his office furnished and worried that his lack of furniture would will lead some "to suspect I am flinching in the cause," believed authority "is diffused amongst so many I could not locate responsibility." An exasperated Longworth reminded headquarters of his situation:

Remember I am away in the wilderness, far from any post or district commander, and scarcely recognized by them when I presented myself, and have not yet had the assistance of as much as a bottle of ink. And all the while a disaffected community foaming and raging around me, I have to maintain a hospital and boarding house for all who has as yet come under my cognizance, together with transportation for the sick and helpless, and all entirely out of my own pocket.<sup>15</sup>

When George C. Abbott called on the quartermaster for supplies, all the "satisfaction which I could get from anyone was that they had no authority to furnish anything for the Freedmen's Bureau." He doubted promises of assistance from headquarters in Galveston, for "those whom I have applied to seem inclined to do anything but that." As a result, Abbott had to make do with "four bare walls of an office with not even a sheet of paper to write on," and his business thus far had to be "attended to mostly on the public streets or at the nearest house where

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<sup>15</sup> Samuel I. Wright, A.Q.M, to General, December 12, 1865, Press Copies of Letters Sent, December 1865-October 1866, Records of the Field Offices for the State of Texas, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870, Record Group 105, National Archives and Records Administration, Washington, D.C. (Microfilm M1912, reel 1) hereafter cited as SAC; Chauncey C. Morse, A.A.I.G., to William H. Sinclair, A.A.G., April 6, 1866, AC, Letters Received, 1866-1867, reel 7; William Longworth, Sutherland Springs, to Captain, January 29, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William Longworth, Sutherland Springs, to [J. B. Kiddoo], March 17, 1866, AC, Letters Received, 1866-1867, reel 6.

I could borrow pen and paper.” If headquarters did not remedy the situation, a frustrated Abbott apprised his superiors, he would have to resign his position.<sup>16</sup>

As late as 1868, Brenham SAC F. P. Wood complained that having no desk greatly hindered his work. Each Bureau man could buy the necessary accoutrements like a table and chairs at the government’s expense. Hagglng about price and number often occurred. Limited Freedmen’s Bureau funds, ignorance about what men in the field needed, and even distrust and suspicion by officials at Galveston toward Bureau agents’ requests, often caused those at headquarters to question the price paid for office furniture. Quartermasters and disbursing officers had set prices they believed chairs and tables should cost. Agents who paid significantly more than what officials at headquarters thought the price should be risked having their account rejected or questioned. Suspicion that subordinates might gouge the government was warranted in certain cases; nonetheless, this attitude frustrated many in the field. Bureau agents routinely accused their superiors of not understanding the difficulty of obtaining a chair for a “reasonable” price. Officials in Galveston based their cost estimates on the market value in the North. But this was not the North. In Texas, merchants did not necessarily want to sell to men of the Bureau. Thus, the foundation of a market economy, the exchange of goods and services for money, was greatly affected. Despite agents’ remonstrations, Bureau officials rarely budged, which caused frustration and a belief that superiors did not fully grasp conditions on the ground.<sup>17</sup>

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<sup>16</sup> George C. Abbott, Hempstead, to Chauncey C. Morse, A.A.A.G., November 2, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17. For similar problems of Freedmen’s Bureau agents procuring supplies from the military, see J. Thomas May, “A 19<sup>th</sup> Century Medical Care Program For Blacks: The Case of the Freedmen’s Bureau,” *Anthropological Quarterly* 46 (July 1973): 160-171.

<sup>17</sup> F. P. Wood, Brenham, to Cyrus S. Roberts, A.A.Q.M., June 4, 1868, SAC, Press Copies of Letters Sent, April 1868-July 1868, reel 3; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G, March 1, 1867, AC, Letters Received, 1866-1867, reel 8.

Although ink, stationery, envelopes, pens, and other secretarial supplies were to be provided to field personnel by Bureau and military officials on a monthly basis, SACs frequently noted the lack of these most basic items. Ink (both red and black, which were required for specific reports) and stationery, the very basis of the Bureau agent's office work, were always in short supply. James F. Hutchison, who informed his superiors he needed ink, was told by the assistant quartermaster that ink could not be sent, and "he must get along without in some manner from here." Philip Howard, the appointed agent for Bosque County, informed superiors that he too had no red ink to make required marks on reports. Officials allowed the exasperated agent to break with protocol and use black ink.<sup>18</sup>

Samuel A. Craig at Brenham needed stationery, a habitual request by many SACs. He submitted an order to the assistant quartermaster only to have it rejected. "On the 15<sup>th</sup> of each month," the quartermaster informed Craig, "you should make your Requisition for stationery for the next month." Wanting to better his chances to receive his requested items, Charles P. Russell got down to the crux of the matter by reminding superiors that "I am not running a very expensive institution." With so many breakdowns and delays, field agents searched for remedies to their supply problems. They loudly recommended a tax on all written contracts. That money would then be used for each agent's official business. Numerous rumors abounded of agents accepting monies (something strictly forbidden by Galveston officials), but only a few cases could be found of agents charging for contracting and using the money to purchase supplies. Although few in number, these instances caused much confusion and elicited many inquiries to confirm if it was "the intention to make any charge for the filing of contracts?" Moreover, some agents took offense if accused of charging for approving contracts. "This would reflect on me as

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<sup>18</sup> Samuel I. Wright, A.Q.M., to James F. Hutchison, Columbia, June 21, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Philip Howard, Meridian, to William H. Sinclair, A.A.G., April 30, 1866, AC, Letters Received, 1866-1867, reel 6.

a military officer,” wrote B. J. Arnold at Brenham after being accused by superiors of accepting contract fees, “for receiving pay for doing that which is my duty to do without compensation.” Ever protective of the Freedmen’s Bureau’s credibility, Gregory never sanctioned such a tax and punished any man caught accepting monies for contracts or other official services.<sup>19</sup>

With contract fees forbidden – for the time being – subassistant commissioners routinely dipped into their own pockets for expenses, despite discouragement by superiors. Examples abound of agents incurring out-of-pocket-expenses for office supplies, horse feed, fuel, and subordinate help. “I have several times employed special agents when it was impossible for me to go myself,” wrote one field agent, “and in each instance have paid such agents myself.” The allocation of funds by Congress for the Freedmen’s Bureau and money for agents’ salaries in July 1866 went a long way to remedy this situation, but instances of Bureau agents spending their own money to perform their official duties continued throughout the organization’s existence. For example, John Dix at Corpus Christi in December 1867 discovered he had to pay for his supplies and for those of a detachment of soldiers. “I have not been able to get one dollar refunded,” Dix reminded superiors. “And therefore I respectfully ask your aid in pointing out some way for me to receive the amount I have expended.” Charles C. Culver ended up paying for medicine for the many sick soldiers in his subdistrict. “I have to buy medicine out of my own pocket & Doctor them myself or let them die. I am up night & day & am pretty near worn out,” he confessed. “Advise me & assist me if you can, for without you [coming] here you can’t

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<sup>19</sup> Samuel I. Wright, A.Q.M., to Samuel A. Craig, Brenham, May 10, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Charles P. Russell, Gonzales, to Colonel, July 24, 1866, AC, Letters Received, 1866-1867, reel 7; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, Unregistered Letters Received, 1865-1866, reel 17; B. J. Arnold, Brenham to Chauncey C. Morse, A.A.A.G., December 2, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Johnathan T. Whiteside, Courtney, to [E. M. Gregory], December 8, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; E. M. Gregory to O. O. Howard, January 31, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Circular No. 3, December 9, 1865, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.



imagine the work. I could very easily shirk it, but I want to do my duty.”<sup>20</sup>

A few Bureau men raised their superiors' ire with unauthorized expenses and requests and instances of improper use of materials. To these men, high officials in Galveston issued many a reprimand for excessive and improper use of stationery for contracts and unauthorized expenses for school books, scouts, guides, and transportation, as well as requests by these men for reimbursement for personal expenses. For example, A. P. Delano and A. H. Mayer, the Bureau agents at Marlin Falls and Liberty, respectively, drew headquarters' attention with what headquarters officials believed to be repeated and flagrant disregard of policy. Bureau officials repeatedly informed A. P. Delano that the Freedmen's Bureau lacked funds for hiring scouts or guides, only to have him request funds for such help he had hired. "I am surprised that you should still employ scouts and guides," replied assistant quartermaster Samuel I. Wright to the less than compliant agent, "after the conversation we had in regard to it." Wright's replacement, Charles Garretson, who appeared to enjoy reminding subordinates they had exceeded their authority and that there "is but one Disbursing Officer of the Bureau in this state," experienced similar problems when he questioned A. H. Mayer's postal expenditures. "The accounts of no SAC in the State, presented a corresponding increase" and with no explanation as to why, he noted. "There may be some circumstances connected with the Post of Liberty, which [would] justify a larger disbursement for Postage, than that which takes place at the much more important post of Marshall." The quartermaster responded to a request for fifty three quires (unbound

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<sup>20</sup> Edward Miller, Bryan, to J. P. Richardson, A.A.A.G., November 27, 1867, AC, Letters Received, 1867-1869, reel 13; John Dix, Corpus Christi, to J. J. Reynolds, December 5, 1867, AC, Letters Received, 1866-1867, reel 5; Charles C. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., August 10, 1867, Records of the Superintendent of Education for the State of Texas, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1870, Letters Received, 1866-1867, National Archives and Records Administration, Washington, D.C., M822, reel 3 (hereafter cited as SUP); *Statutes at Large*, 14:90-92. For instances of Bureau agents spending their own money for supplies and assistance, see Edward Miller, Bryan, November 27, 1867, AC, Letters Received, 1867-1869, reel 13; William Longworth, Sutherland Springs, to [E. M. Gregory], March 17, 1866, AC, Letters Received, 1866-1867, reel 6; P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., June 7, 1867, AC, Letters Received, 1866-1867, reel 6; William H. Howard, Huntsville, to J. J. Reynolds, September 21, 1868, AC, Letters Received, 1867-1869, reel 12.

reams of paper) by suspiciously asking, “How [can you] require 10 times [the necessary] amount . . . in addition to the 3 quires allowed [each 5 months]?” Bureau records include numerous admonishments and rejected requests. The actions by Delano and Mayer not only affected their dealings with superiors, but the relations between those at headquarters and all Bureau men. A select few cast suspicion on all and contributed to a perception at Bureau headquarters that many field personnel lacked frugality and had a propensity to spend. This view only widened the rift and disconnect between Bureau officials and their agents.<sup>21</sup>

Although these two SACs were probably irresponsible – especially the Delano who it was later discovered attempted to defraud the government – with funds and supplies, Delano and Mayer were not typical of the vast majority of Bureau men. Most were prudent and did not squander Bureau supplies. Nonetheless, whether responsible or irresponsible, all agents complained about supply problems. In fact, in many instances Bureau officials failed to provide their agents with even the minimum monthly allowance of office supplies or basic furniture called for in the *Officers’ Manual*, which Bureau officials required all field personnel to have and refer to for guidance. They asked these men to do what many believed an impossible task and never fully supplied them with the most basic aids. Despite all this, Bureau officials in Galveston were not totally to blame. The low funding provided by Congress, the inability or refusal of military officials in New Orleans to furnish supplies to the Freedmen’s Bureaus in Louisiana and Texas, and the unreliable mail service in Texas all contributed to the problem in

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<sup>21</sup> Samuel I. Wright, A.Q.M., to William Longworth, Sutherland Springs May 10, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Charles Garretson, A.A.Q.M., to William G. Kirkman, Boston, August 24, 1867, SAC, Registered Letters Received, July 1867-September 1868, reel 13; Charles Garretson, A.A.Q.M., to A. H. Mayer, Liberty, June 8, 1867, SAC, Press Copies of Letters Sent, reel 1; Charles Garretson, A.A.A.G, A.A.Q.M, to Hamilton C. Peterson, Lockhart, September 25, 1867, SAC, Press Copies of Letters Sent, July 1867-October 1867, reel 2.

certain ways.<sup>22</sup>

Insufficient supplies became such an issue by 1867 that the assistant commissioner ordered William H. Sinclair, Bureau Inspector for Texas, to investigate the matter. In his report, Sinclair discovered that agents stationed in the interior lacked the tools “for the proper and regular discharge of their duties.” He found that officials at headquarters had not furnished half the stationery necessary, and “the amount sent them is so meagre [sic] that the cost of sending it by mail (i.e. the postage) amounts to almost the value of the stationery sent.” He went on to point out that the allotment was inadequate and “simply a farce,” for in one settlement session, a SAC can go through almost a month’s supply. Sinclair believed the subassistant commissioners were justified in their repeated requests and complaints. In admonishing Bureau headquarters for not holding up its part of the bargain, Sinclair informed them of the “discouraging and perplexing” feeling by the men in the field. “This subject might to some seem a small matter,” he warned, “but to the agents . . . it is not.”<sup>23</sup>

The supply breakdown was, as Sinclair noted, no small matter to Bureau men in Texas. In fact, many Bureau agents became quite frustrated about the problem. This sometimes boiled over into direct conflict between field subordinates and their superiors. Drawing most of the ire and seen by some as the chief responsibility for the lack of supplies was Assistant Quartermaster Charles Garretson. Garretson and agent David L. Montgomery came into conflict for several

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<sup>22</sup> Bureau of Refugees, Freedmen, and Abandoned Lands, *Officers’ Manual* (Washington, D.C.: Government Printing Office, 1866), 28-E-28-F (hereafter cited as *Officers’ Manual*). For examples of headquarters reprimanding SACs for unauthorized expenses, see Samuel I. Wright, A.Q.M., to A. P. Delano, Marlin, May 12, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Samuel I. Wright, A.Q.M., to Edward Miller, Victoria, June 1, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Samuel I. Wright, A.Q.M., to Charles F. Rand, Matagorda, June 7, 1866, SAC, Press Copies of Letters Sent, December 1865-October 1866, reel 1; Charles Garretson, A.A.Q.M., to Nesbit B. Pease, Houston, July 17, 1867, SAC, Press Copies of Letters Sent, March 1867-July 1867, reel 1; and Samuel I. Wright, A.Q.M., to Byron Porter, Houston, May 15, 1866, SAC, Press Copies of Letters Sent, March 1867-July 1867, reel 1.

<sup>23</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., March 1, 1867, AC, Letters Received, 1866-1867, reel 8.

reasons, including Montgomery's requisition for stationery and authorization to rent an office. Furthermore, in late summer of 1867, Montgomery wrote officials at headquarters to complain about not receiving his pay. Garretson endorsed the letter as follows:

Respectfully returned to Head Quarters . . . with the information that although certified accounts for Office Rent were transmitted to this office by *Col. Montgomery* his office [rent] has not been reported to this day on Form No. 21 and no account for services or Rent can be paid until reported. *Col. Montgomery's* report of Persons etc. for April & May were both received at this office 30<sup>th</sup> June 1867. The May report was returned for correction and was not received corrected until 9<sup>th</sup> August 1867. On . . . 8<sup>th</sup> July *Col. Montgomery's* first voucher in favor of *B. H. Denson* was returned for correction. On . . . 20<sup>th</sup> July his second voucher in favor of *B. H. Denson* was returned for correction. On . . . 27<sup>th</sup> July his certified accounts in favor of *William J. Goodman* for office rent were returned for correction and have not yet been received correct nor has *Col. Montgomery's* report of Persons for June 1867 been received corrected. Until *Col. Montgomery's* Reports of Persons for March, April, May & June have been perfected, *William J. Goodman's* account for Office Rent cannot be paid. My absence at San Antonio and the illness of the whole of the clerks with this office have prevented *B. H. Denson's* account from being paid between 14<sup>th</sup> Aug. & the present date. It is submitted that under the circumstances detailed above *Col. Montgomery* is scarcely in a position to complain of the non payment of his certified accounts. It is now 13<sup>th</sup> of Sept. and his report of Persons & articles for June is not on File in this office.<sup>24</sup>

Montgomery, angry about the whole ordeal, took matters into his own hands. He simply went out and purchased the stationery and sent the account voucher to Garretson for reimbursement. The assistant quartermaster rejected it and later noted the whole problem stemmed from the agent's "incompleteness or incorrectness of *every Report.*" Montgomery accused Garretson of neglect and incompetence, only to have the assistant quartermaster ask who the true incompetent was considering Montgomery could not follow orders or properly fill out forms. These feuds, however petty on the surface, reflected a serious conflict between a number of men in the field and their superiors at headquarters.<sup>25</sup>

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<sup>24</sup> Endorsement of letter from David L. Montgomery, Tyler, to Charles Garretson, A.A.A.G., August 26, 1867, AC, Endorsements Sent, March 1867-May 1869, reel 2.

<sup>25</sup> David L. Montgomery, Tyler, to Charles Garretson, A.A.A.G., A.A.Q.M., October 9, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Charles Garretson, A.A.A.G., A.A.Q.M., to J. J. Reynolds, October 23, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Charles

After Garretson questioned his postal accounts in “an insulting letter,” A. H. Mayer apparently had payback on his mind. While investigating claims that someone “was raising Hell . . . at Chapman & Duffield’s Gambling House” with Bureau funds claims found to be bogus, Mayer called the man who made the charge into his office to deny the accusation in writing. In response, however, the man informed the agent that “Lieut. Garretson backed a prize fighter in a fight the other day and lost several hundred dollars [and] his chief clerk . . . was the stake holder.” Mayer quickly passed this information up the chain of command, which brought a wave of criticism down upon his own head. Garretson claimed that Mayer was disgruntled because of his numerous declined accounts and an alleged “grossly insulting letter” sent to him. “I am informed (confidentially) that great exertions are being made to injure me in the estimation of [the assistant commissioner],” a worried Mayer wrote, and he asked for “a thorough investigation of my official conduct and an honest report of the same.”<sup>26</sup>

Despite the problems with staff at headquarters, difficulties in finding and procuring an office, and breakdowns within the Bureau and military supply chain-of-command, the subassistant commissioners appointed in late 1865 and early 1866 still had a job to do. They had to move forward and adjust to these hindrances. The men appointed by Gregory experienced many of the same trials and tribulations as those who would follow. But they also faced problems that subsequent Bureau agents would not have to deal with, problems stemming from the immediate aftermath of the war. Gregory wanted them to begin as soon as possible to devote special attention to certain matters, in particular the discriminatory application of vagrancy laws. With slavery’s demise, whites turned to vagrancy laws to control their laborers. Under these

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Garretson, A.A.A.G, A.A.Q.M., to J. J. Reynolds, October 23, 1867, AC, Letters Sent, March 1867-May 1869, reel 1.

<sup>26</sup> A. H. Mayer, Liberty, to R. F. Cordua, May 19, 1867, AC, Letters Received, 1866-1867, reel 7; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., May 20, 1867, AC, Letters Received, 1866-1867, reel 7.

laws, any individual not under a labor contract by a certain time could be arrested as a vagrant. Once arrested, he could then be used on public works projects or “hired” out. Bureau officials wanted subordinates to see that state officials applied the laws equally, with no distinction of color. If not, the agents were to take proper measures.<sup>27</sup>

The continuation of slavery was another concern. Since June 19, 1865, the day the military announced to Texans slavery’s end in the state, rumors persisted that masters in the interior of the state still held their slaves in bondage. More fantastic stories circulated that planters had established a refuge in West Texas in order to preserve the peculiar institution. Although many stories were mere rumors, others proved to be credible. Bureau agents reported a number of cases of continuing slavery in northeast, southeast, and central Texas in late 1865 and early 1866. Jacob C. DeGress, the agent and provost marshal at Houston, wrote that some planters told their slaves freedom would not go into effect until the first of the year. Another Bureau man noted that planters wanted to hold their slaves until after the crop was in. At least one case of slavery still existed as late as early 1867. Of all the problems faced by those agents appointed in late 1865 and early 1866, the continuation of slavery was the most ephemeral, and of little concern beyond early 1866 once the crops were harvested and federal authority extended into the interior.<sup>28</sup>

An additional problem faced by those initial Bureau agents stemmed from a rumor

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<sup>27</sup> Circular No. 1, 1 October 12, 1865, AC, Issuances and Rosters of Bureau Personnel and Special orders Received, October 1865-April 1869, reel 19.

<sup>28</sup> Jacob C. DeGress, Houston, to [Headquarters], December 1, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; James Oakes, Austin, to J. T. Kirkman, A.A.A.G., July 31, 1867, Barry Crouch Collection, Victoria Regional History Center, Victoria College, Victoria, Texas, Box 8-A (hereafter cited as Crouch Collection – Victoria); S. J. W. Mintzer, Surgeon in Chief, to [E. M. Gregory], December 1, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29; 1<sup>st</sup> Lt. Hugh D. Bowker to Provost Marshal, 3<sup>rd</sup> District, Corpus Christi, December 6, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Ronnie Tyler and Lawrence R. Murphy, eds., *The Slave Narratives of Texas* (Austin: The Encino Press, 1974), 115, 121, 123.

among the freedpeople that at the end of the year they would receive land from the federal government. The government would supposedly confiscate and divide southern plantations into forty-acre plots among the former slaves in late 1865. “The Negroes had left their old homes and were refusing to make contracts for the new year with any person,” reported John T. Raper from Columbus. “They were waiting for a division of property.” The former slaves refused to make contracts for the next year before the end of the year, noted agent B. J. Arnold. “[T]hey had been told by designing persons,” Arnold recounted, “that a division of property would take place at that time.” They believed this to be their just due for a life time’s worth of labor and bondage. Thinking they would receive free land, the freedpeople refused to contract for the upcoming year, thus threatening to derail free labor in Texas.<sup>29</sup>

The president’s wholesale issuance of pardons to wealthy former Confederates, which reestablished their right to their land; Commissioner Howard’s Circular No. 15, which rescinded his previous circular laying out procedures for distribution of confiscated land to ex-slaves; the almost sacrosanct belief Americans had toward private property; and northern Republicans’ unwillingness to “disturb the traditional relationships between capital and labor” all combined to quash any plan for wholesale land distribution – if it ever was a realistic option. Gregory then instructed Bureau officers immediately and effectively to “remove so erroneous and injurious an impression.” The freedpeople must learn their immediate interests in working for their former masters. Even after the 1865 holiday season passed with no land distribution, the rumor persisted. At Liberty, agent A. H. Mayer described the freed community as late as 1868 still believing they would receive land, this time from the Radical Republicans with their election to office in Texas. “I regret to state,” he frustratingly stated about his attempts to disabuse them of

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<sup>29</sup> John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; B. J. Arnold, Brenham, to Chauncey C. Morse, A.A.A.G., October 28, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

this belief, “that all my efforts have been abortive, and will continue to be so long as bad men control them. . . .”<sup>30</sup>

To complicate matters further, some white Texans believed that once former slaves realized no land was coming, they would rise up in rebellion. Throughout the South, the holiday season of 1865 portended another Santo Domingo (i.e., a bloody slave uprising) in the minds of many white Texans. Christmas time instilled hope for one group of people, but brought fear to another. Field agents not only had to fight rumors circulating among the freedpeople, but also neutralize the paranoia spreading among white Texans. Alleged “sightings” of armed black masses drilling and patrolling became common place. White Texans frantically wrote their state and local officials of impending violence and wanted to know what authorities planned to do about it. Some took a more proactive approach and mustered citizens in defense of the expected uprising. Bureau men dismissed out of hand such talk, believing this hysteria only served white interests against the freedmen. Nevertheless, claims of freedmen drilling at night and predictions of an impending race war continued for years to come.<sup>31</sup>

In the end, all the hysteria, optimism, and, ultimately, frustration late in 1865 turned out to be nothing more than a momentary concern for Bureau field personnel. Of more lasting

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<sup>30</sup> Thomas Wagstaff, “Call Your Old Master – ‘Master’: Southern Political Leaders and Negro Labor During Presidential Reconstruction,” *Labor History* 10 (Summer 1969): 344; Circular letter from O. O. Howard, November 11, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; A. H. Mayer, Liberty, to J. P. Richardson, A.A.A.G., February 18, 1868, AC, Letters Received, 1867-1869, reel 13; Circular No. 13, July 28, 1865, AC, Letters Received, 1865-1866, reel 5.

<sup>31</sup> C. B. Stewart to A. J. Hamilton, November 17, 1865, Incoming Correspondence, Governor Andrew Jackson Hamilton Records (RG 301), Archives Division – Texas State Library and Archives Commission (hereafter cited as Governor Correspondences); [Citizens of Jackson County] to A. J. Hamilton, November 1865, Hamilton Governor Correspondences; J. O. Thally to A. J. Hamilton, November 6, 1865, Hamilton Governor Correspondences; Sallie M. Lentz, “Highlights of Early Harrison County,” *Southwestern Historical Quarterly* 61 (October 1957): 254; F. W. Grassmeyer to A. J. Hamilton, November 22 1865, Hamilton Governor Correspondences; J. W. Throckmorton to [J. B.] Kiddoo, November 13, 1866, AC, Letters Received, 1866-1867, reel 9. For examinations of the Christmas scare, see Steven Hahn, “‘Extravagant Expectations of Freedom’: Rumor, Political Struggle, and the Christmas Insurrection Scare of 1865 in the American South,” *Past and Present* 157 (November 1997): 122-158; and Dan T. Carter, “The Anatomy of Fear: The Christmas Day Insurrection Scare of 1865,” *Journal of Southern History* 42 (August 1976): 345-364.



importance was the implementation of free labor. In fact, the *La Grange True Issue* called it the “knottiest problem of modern times.” With slavery’s demise, a new labor system had to be implanted in the South. This objective constituted the basis of Freedmen’s Bureau operations and to a great extent, its success greatly hinged on its agents’ efforts. From late 1865 to the time the Freedmen’s Bureau left the state, Bureau men struggled with developing a system of free labor in Texas. The difficulties faced by agents in late 1865 and early 1866, although “fixed” at certain times and on certain occasions, remained to befuddle their successors.<sup>32</sup>

The organization’s name in some respects disguises its true mission, for it could be called the Labor Bureau. In fact, the relationship between the Freedmen’s Bureau and free labor ideology has been chronicled in great detail by Reconstruction students. To 19<sup>th</sup>-century Americans, free labor meant economic mobility, equality before the law, contract labor, self-sufficiency, and property ownership, and, despite any flaws and contradictions, it exemplified what Republicanism and northern society believed good. Slavery, on the other hand, represented everything wrong and backward about the South. Years before the Civil War, Republicans applauded the merits of free labor compared to the slave system in the South. Northerners saw the war’s outcome as a triumph of their economic system, and through the Freedmen’s Bureau they planned to sow the seeds of free labor in the peculiar institution’s ashes. “If federal troops introduced emancipation on the point of a bayonet during their war,” declared Jeffrey R. Kerr-Ritchie, a student of Virginia Reconstruction, “their [Bureau] cousins were charged with imposing free labor negotiations under the nib of a pen.”<sup>33</sup>

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<sup>32</sup> *La Grange True Issue*, June 17, 1865.

<sup>33</sup> Jeffrey R. Kerr-Ritchie, *Freedpeople in the Tobacco South: Virginia, 1860-1900* (Chapel Hill: University of North Carolina Press, 1999), 37. For works on free labor ideology, see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970); Eric Foner, *Politics and Ideology in the Age of the Civil War* (New York: Oxford University Press, 1980); Lawrence N. Powell, “The American Land Company and Agency: John A. Andrew and the Northernization of the South,” *Civil*

Influenced by the military's policies during the war, Commissioner Howard issued a circular letter that vaguely framed the agency's free labor system. Howard instructed his assistant commissioners in May 1865 to introduce "a practical system of compensated labor." Furthermore, they were to disavow the idea within the freed community that they did not have to work and that the government would take care of them. In extreme cases exceptions could be made, but no aid was to be granted to the able-bodied. Howard realized this might cause some suffering, but that was to be expected. Idleness, a sinful, personal flaw contrary to man's existence on earth, would not be tolerated. The commissioner believed freedom for the former slaves were in its labor and thus, viewed the examination of contracts as "the most important duty of an agent upon being assigned." Howard hoped the labor system would "rehabilitate labor" in each state, would "establish the actual freedom of the late slave," and would "bring the freedmen justice in settling past contracts and in making new ones." In short, Howard's policy turned subassistant commissioners into a vast army of "employment agents."<sup>34</sup>

Not wanting too rigid a system, which might stifle experimentation on the part of planters

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*War History* 21 (December 1975): 293-308; Barbara J. Fields and Leslie S. Rowland, "Free Labor Ideology and Its Exponents in the South During the Civil War and Reconstruction" (paper delivered at Organization of American Historians Annual Meeting, 1984); Heather C. Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge: Harvard University Press, 2001); Ira Berlin, et. al., eds., *The Wartime Genesis of Free Labor: The Lower South* (Cambridge: Oxford University Press, 1990); Foner, *Reconstruction*; Gerald D. Jaynes, *Branches without Roots: Genesis of the Black Working Class in the American South, 1862-1882* (New York: Oxford University Press, 1986); Barbara J. Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven: Yale University Press, 1985); Joseph P. Reidy, *From Slavery to Agrarian Capitalism in the Cotton Plantation South: Central Georgia, 1800-1880* (Chapel Hill: University of North Carolina Press, 1992); and Nancy Cohen-Lack, "A Struggle for Sovereignty: National Consolidation, Emancipation, and Free Labor in Texas, 1865," *Journal of Southern History* 58 (February 1992): 57-98.

<sup>34</sup> Howard, *Autobiography*, 2:212-225, 247; William Cohen, "Black Immobility and Free Labor: The Freedmen's Bureau and the Relocation of Black Labor, 1865-1868," *Civil War History* 30 (September 1984): 234; James C. Devine, Inspector, to J. T. Kirkman, A.A.A.G., July 22, 1867, AC, Letters Received, 1866-1867, reel 5; *Dallas Herald*, November 17, 1866. For military precedents during the war followed by the Freedmen's Bureau during Reconstruction, see J. Thomas May, "Continuity and Change in the Labor Program of the Union Army and the Freedmen's Bureau," *Civil War History* 17 (September 1971): 245-254; Willie Lee Rose, *Rehearsal for Reconstruction: The Port Royal Experiment* (Indianapolis: Bobbs-Merrill, 1964); and Gerteis, *From Contraband to Freedman*.

and the freedpeople, Howard left his subordinates to fill in the details. Gregory liked free labor's prospects in Texas and wanted to transfer the "spirit that has made the great states of the Northwest." Gregory put his optimism into details in late 1865. Labor relations were to be controlled through the labor contract. This reconciled freedom on one hand and the state's authority on the other. It was a way to ensure freedom and equality – myopically, some claim – backed by federal protection. Contracts had to be made for at least a month, but not longer than one year. On plantations, contracts had to be made with the head of each workers' household and include all within the household capable of working. Gregory ordered agents not to set wages, but also not approve any unfair wages. In Texas, wages ranged from \$2.00 to \$15.00 per month according to the sex and quality of the worker. The employer, furthermore, provided food, quarters, fuel, and medical attendance for the entire family. Each contract was a lien upon no more than one half of the crop until the hands had been paid. Since freedmen "have not learned the binding force of a contract," it should stipulate punishment for unjust absence of work, which usually meant forfeiture of wages or treatment as a vagrant. Bureau agents were to approve each contract, but only if the freedmen understood "what he was called upon to do, if the contract was not unfair, if the negro understood it, and gave consent." In order to protect the former slaves, agents had to ensure they fully comprehended their responsibilities as employees. In the words of historians Roger L. Ransom and Richard Sutch, "slavery proved a poor preparation for freedom."<sup>35</sup>

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<sup>35</sup> E. M. Gregory to Benjamin G. Harris, January 20, 1866, SAC, Letters Sent, October 1865-March 1867, reel 1; Circular letter from E. M. Gregory, October 17, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; E. M. Gregory to O. O. Howard, April 18, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Roger L. Ransom and Richard Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation* (Cambridge: Cambridge University Press, 2001), 15; Cohen-Lack, "A Struggle for Sovereignty," 61, 97-98; James M. Smallwood, *Time of Hope, Time of Despair: Black Texans During Reconstruction* (Port Washington: Kennikat Press, 1981), 44; Robert Higgs, *Competition and Coercion: Blacks in the American Economy, 1865-1914* (Cambridge: Cambridge University Press, 1977); Alwyn Barr, *Black Texans: A History of African Americans in*

The responsibility to educate black and white Texans about what agent Eugene Smith called “the Yankee way of doing business” fell to Bureau men, who on many occasions also had to fill in the details. Field agents toured their districts, spreading the word and ascertaining conditions on the ground. From late 1865 to early 1868, this changed little and was harder, and more nerve racking, for Bureau agents than might be expected. “I was stage struck,” remembered Samuel A. Craig after giving his first speech to a crowd of whites and blacks in Brenham, “this was my maiden attempt at a speech.” Gregory believed the only path for Texas economically was in getting the state back on its feet agriculturally. This placed great importance on the first crop after the war and the organization’s ability to instruct both white and black Texans. Agents urged the freed community to remain with their former owners and work diligently for them. On the one hand, the freedmen, through the Bureau agent’s protection and guidance, would learn that diligence, frugality, and industry represented capitalism’s version of the holy trinity. On the other hand, the white landed elite was to be reminded “of the golden rule,” a very difficult task considering Texas planters continued to “peer over their shoulder at a by gone era” and viewed the contract as nothing short of revolutionary. In a sense, Bureau men attempted to convert Texans to a new religion, one based on economic success and productivity. Both black and white Texans had to learn that their success now depended on each other. “If this crop fails,” one agent informed those under his responsibility, “the country is bankrupt, and of necessity the Freedmen must become paupers. . . .”<sup>36</sup>

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*Texas, 1528-1995* (Norman: University of Oklahoma Press, 1995), 54-55; Campbell, *Southern Community in Crisis*, 264.

<sup>36</sup> Eugene Smith, Waco, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 8; Craig, “Memoirs,” 80; [Speech by A. H. Mayer, December 26, 1866], AC, Letters Received, 1866-1867, reel 7; William H. Sinclair, A.A.G., to John R. Sanford, February 17, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; James L. Roark, *Masters Without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W. W. Norton & Company, 1977), 139; E. M. Gregory to O. O. Howard, October 31, 1865, AC, Letters Sent, September 1865-March 1867, reel 1.

The first step toward conversion was with entering into and abiding by the contract. Simply put, Bureau men had to affirm “the former slaves’ rights to liberty” and warn them “that freedom barred dependence.” Through tours in late 1865 and early 1866, field agents concluded that the freedpeople neither respected the sanctity of the contract nor fully understood it. They had yet to learn what it meant to be responsible workers. Field agents noted that laborers did not work the hours and days specified. Many simply refused to perform tasks outlined in their contracts. Others worked their own crops at the expense of their employer’s. One SAC told laborers they could not trifle and fool away the hours on their own tasks when obligated to work the planter’s crops. They owed him their time “to plough, to hoe, to build gin houses, [and] to split rails,” he added, “in fact any honest labor that you are called upon to do . . . He [the employer] has the right to sound the horn or ring the bell anytime after day break.” Samuel C. Sloan, the Bureau agent at Fort Bend County, reported in early 1866 that the freedmen constantly broke their contracts. He quickly remedied the situation by warning them of the consequences. For those unmoved by speeches, Bureau officials authorized more coercive measures such as fines and, if necessary, application of vagrancy laws.<sup>37</sup>

Freedmen resisted contracting for several reasons. First, many misunderstood the contract’s binding nature. If they signed the contract, some believed, it returned them to slavery. As late as 1867, agents noted this continued misinformation. Numerous freedpeople told one Bureau inspector the contract was a “species of slavery,” and once they “put their hands to paper they would no longer be free.” Another reason was the “contradiction and paradox” between the

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<sup>37</sup> William H. Sinclair, Inspector, J. T. Kirkman, A.A.A.G., February 26, 1867, AC, Letters Received, 1866-1867, reel 8; Amy Dru Stanley, “Beggars Can’t Be Choosers: Compulsion and Contract in Postbellum America,” *Journal of American History* 78 (March 1992): 1283; [Speech by unknown agent], date unknown, AC, Letters Received, 1866-1867, reel 1; Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G, January 16, 1866, AC, Letters Received 1866-1867, reel 8; Chauncey C. Morse, A.A.A.G, to Samuel C. Sloan, Richmond, January 22, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

freedperson's definition of freedom and that of the Bureau agent. Bureau agents, guided by their belief in free labor, saw freedom more as "self-ownership." Freedom meant the choice to contract or not to contract. "It seems to me," reported Edward Miller from Victoria in 1866, "that the majority of the freedmen, have a wrong conception of the word 'freedom' and construe it into 'independence' and in consequence thereof work or idle, whenever they feel like it." Freedpeople, on their path to true independence, would still for the meantime be dependent. As stated by Nancy Cohen-Lack, a student of the Freedmen's Bureau and free labor in Texas, "freedmen thought of independence as the essence of freedom, [but] northerners who valued both freedom and independence did not conceive of them as synonymous." In the words of agent Jacob C. DeGress at Houston, the freedpeople should contract with the planters and "work for a home and independence." By doing so, he asserted, "it does not affect their freedom one iota. . . ." To be sure, Bureau men and former slaves differed on what freedom was.<sup>38</sup>

Bureau agents had to instruct the former slaves that free labor and contracting meant freedom. The freedpeople, apparently wanting to make the "best of a bad situation," eventually reconciled themselves to contracting. Samuel C. Sloan reported in early 1866 that only a half dozen freedmen were not under contract in Fort Bend County. "I have the honor to report that the Freedmen of this District are self supporting," observed the Bureau man in Houston in late 1865, "and that they have already shown a disposition to equal, if not surpass, the laboring class

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<sup>38</sup> William H. Sinclair, Inspector, J. T. Kirkman, A.A.A.G., February 26, 1867, AC, Letters Received, 1866-1867, reel 8; Edward Miller, Victoria, to William H. Sinclair, A.A.G., July 10, 1866, AC, Letters Received, 1866-1867, reel 7; Cohen-Lack, "Struggle for Sovereignty," 79; Jacob C. DeGress, Houston, to E. M. Gregory, November 3, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29. For works chronicling the paradoxes and limitations of free labor and dissimilar visions of what freedom meant, see Eric Foner, "The Meaning of Freedom in the Age of Emancipation," *Journal of American History* 81 (September 1994): 454-460; James D. Schmidt, *Free to Work: Labor Law, Emancipation, and Reconstruction, 1815-1860* (Athens: University of Georgia Press, 1998); and Nancy Fraser and Linda Gordon, "A Genealogy of 'Dependency': Tracing a Keyword of the US Welfare State," *Signs* 19 (Winter 1994): 309-336.

of white men.” According to John T. Raper, few of the freedpeople in his district remained with their old masters for the upcoming year, because many left them for “greater inducements.”<sup>39</sup>

At Hempstead, George C. Abbott, former boatswain in the U.S. Navy, noted that “the work of contracting goes bravely on.” He added that “Blacks and whites come rushing [into my office] in one continual stream of amalgamation. And I would like for those who say ‘The Nigger wont work’ come here for a day or two, and I think that they would leave with the impression that Freedmen (in this neighborhood at least) were anything but lazy.” Witnessing such events in his own office in Columbus, Eli W. Green sanguinely (probably a little too optimistically) predicted, “I have no hesitation in saying from the best information that there will be but very little difficulty in making the present system of free labor successful, if properly managed.” Bureau men believed that proper management meant instilling confidence in the freedpeople for the free labor system. That would be achieved only by protecting their contractual rights. Good work meant good pay, and Bureau men made it a top priority to ensure

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<sup>39</sup> Jacob C. DeGress, Houston, to [E. M.] Gregory, November 1, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Chauncey C. Morse, A.A.I.G., to William H. Sinclair, A.A.G, April 18, 1866, AC, Letters Received, 1866-1867, reel 7. According to Randolph B. Campbell, approximately 5 to 6 percent left their former masters, the rest remained and worked (See *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1989), 250-251). In the last three decades or so, students of Reconstruction have reexamined the “symbol of freedom.” Differing in method and conclusion, all the works note the ambiguities and the constraints of contract labor. Of these works, however, many castigate the contract, concluding at best it precluded choice and economic freedom and at worst it pacified the workforce, coerced them back to the plantations, and reestablished the old system under “unreconstructed” former masters. For more positive – or at least contextualized – works on contracts, see Foner, *Politics and Ideology*; Rebecca Edwards, *Angels in the Machinery: Gender in American Party Politics from the Civil War to the Progressive Era* (New York: Oxford University Press, 1997); Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (New York: Cambridge University Press, 1998); and Charles H. Wesley, *Negro Labor in the United States, 1850-1925* (New York: Russell & Russell, 1967). For more critical works on the contract, see Lewis Nicholas Wynne, *The Continuity of Cotton: Planter Politics in Georgia, 1865-1892* (Macon: Mercer University Press, 1986), 11-17; Cohen-Lack, “Struggle for Sovereignty,” 57-98; Groff, “Freedmen’s Bureau in High School Texts,” 425-433; Lewis C. Chartock, “A History and Analysis of Labor Contracts Administered by the Bureau of Refugees, Freedmen, and Abandoned Lands in Edgefield, Abbeville and Anderson Counties, South Carolina, 1865-1868” (Ph. D. diss., Bryn Mawr College, 1974); and Steven Engerrand, “Now Scratch or Die: The Genesis of Capitalistic Agricultural Labor in Georgia, 1865-1880” (Ph. D. diss., University of Georgia, 1981); Novak, *Wheel of Servitude*; and Wiener, *Social Origins of the New South*.

their charges received their just due. They used military cooperation and Bureau courts to buttress the new system. Moreover, agents showed the former slaves that they should come to the Freedmen's Bureau for protection and guidance and avoid verbal contracts with their former masters.<sup>40</sup>

Novices to free labor, planters and freedmen too often let their word be their "bond." These verbal contracts caused Bureau personnel much concern and numerous problems, and agents never fully eliminated the practice, although their numbers diminished over time as planters realized they needed the Bureau agents to help ensure the freedmen honored their labor contracts. The fear of employer fraud was the main reason for discouraging verbal contracts, but agents also had another reason. "The freedpeople are as yet children," observed inspector William H. Sinclair on one of his tours. "They have done many and will continue to do many more foolish things [because they are] so easily convinced by sophistry and duped by the rascality practiced upon them. . . ." H. S. Johnson, an agent who was concerned freedmen might be swindled if left to their own devices, reminded superiors of the former slave's "credulous" nature. "[H]e selects some white man for his counselor [and] depends on his judgement [sic] and is governed by his suggestions," he complained. "But unfortunately for the freedman he is apt to select for his friend and advisor a bad as [easily as] a good man." "Racial" and "paternalistic" tints are evident in many letters and reports – a hallmark within republican ideology at the time. Northerners, even the most benevolent and philanthropic toward the freedmen, held the prevalent racial beliefs of the day: slavery stunted the black man and women, and thus they needed a dependent relationship to whites. Contrary to claims by white Texans at the time and some

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<sup>40</sup> George C. Abbott, Hempstead, to E. M. Gregory, December 16, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Eli W. Green, Columbus, to Chauncey C. Morse, A.A.A.G, October 24, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.



historians a generation later, “[t]he Republican commitment even at its peak never pledged ‘racial equality,’” concluded a leading student of Reconstruction, LaWanda Cox.<sup>41</sup>

Whatever their racial views, Bureau agents were well ahead of their time in their struggles against white racism. As historian William F. Messner stated, compared to the backdrop of American society at this time, Bureau men “with their ideological outlook and philanthropic stripes would be considered liberal.” The racial beliefs of SACs differed from those of white planters. Men of the Bureau realized that the former slaves lacked the virtues of the middle-class and must be taught them. Although paternalistic, their attitudes “did not hold blacks inherently inferior.” The fact that these men, despite ambiguity in orders and confusion with policies, fully comprehended their duty to better the former slave’s predicament certainly tempered any belief in black inferiority.<sup>42</sup>

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<sup>41</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G, February 26, 1867, AC, Letters Received, 1866-1867, reel 8; H. S. Johnson, Sumpter, to [Headquarters, 1867], AC, Letters Received, 1866-1867, reel 6; LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981), 158; Jacob C. DeGress, Houston, to E. M. Gregory, November 39, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Engelsman, “Freedmen’s Bureau in Louisiana,” 220. For concern toward verbal contracts, see E. M. Gregory to O. O. Howard, December 9, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; S. J. W. Mintzer, Surgeon in Chief, to [E. M. Gregory], December 1, 1865, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29. For the racial beliefs of northerners during Reconstruction, see David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); Kenneth C. White, “Wager Swayne: Racist or Realist,” *Alabama Review* 31 (April 1978): 92-109; George M. Fredrickson, *The Black Image in the White Mind* (New York: Harper & Row, Publishers, 1971); C. Vann Woodward, *The Future of the Past* (New York: Oxford University Press, 1989); V. Jacque Voegeli, *Free But not Equal: The Midwest Negro during the Civil War* (Chicago: University of Chicago Press, 1967); James M. McPherson, *The Struggle for Equality: Abolitionists and the Negro in the Civil War and Reconstruction* (Princeton: Princeton University Press, 1864); Howard Rabinowitz, *Race Relations in the Urban South, 1865-1890* (New York: Oxford University Press, 1978); Eugene H. Berwanger, *The Frontier Against Slavery: Western Anti-Negro Prejudice and the Slavery Extension Controversy* (Urbana: University of Illinois Press, 1967); Mathew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1985); Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: University of Chicago Press, 1961); Herman Belz, *Emancipation and Equal Rights: Politics and Constitutionalism in the Civil War Era* (New York: W. W. Norton & Company, 1978); and Richard O. Curry, “The Abolitionists and Reconstruction: A Reappraisal,” *Journal of Southern History* 34 (November 1968): 527-45.

<sup>42</sup> Thomas D. Morris, “Equality, ‘Extraordinary,’ and Criminal Justice: The South Carolina Experience, 1865-1866,” *South Carolina Historical Magazine* 83 (January 1982): 31-32; William F. Messner, *Freedmen and the Ideology of Free Labor: Louisiana 1862-1865* (Lafayette: University of Southwestern Louisiana, 1978), 186; Frank V. Vandiver, “Some Problems Involved in Writing Confederate History,” *Journal of Southern History* 36 (August 1970): 409; Roberta Sue Anderson, “Presidential Reconstruction: Ideology and Change,” in *The*

Despite their racial predispositions, Bureau men unquestionably took their mandate seriously and reconciled their beliefs with the knowledge that their responsibility was to advance the status and rights of the freedmen. They wanted the best for the former slaves. That meant freedmen must work for their former masters and remain, at least temporarily, primarily a laboring class. But these men ensured that the freedpeople would be protected in their contracts. In spite of having to work for their former masters and returning to the fields, the freedpeople never lost faith in the Bureau man, attested to by the constant stream of complaints, inquiries, and questions. “Of course, the planter[s] think but little of the ‘Bureau,’” stated Isaac Johnson at La Grange, “not so, however, with the Freedmen.”<sup>43</sup>

One agent made it a point not to approve a contract that did not include the whole family “sick and well.” He further added that if they worked well he made sure they were well paid. Samuel A. Craig, the agent at Brenham, believed “if it were not for the authority of the Bureau, I firmly believe ill treatment and unfair dealings would too generally prevail.” The freedmen in Fort Bend County expressed satisfaction with the Bureau agent there, and acknowledged him “for the able manner in which he has discharged his duties.” Former slaves in the state capital also wrote Freedmen’s Bureau headquarters, calling their Bureau agent, Albert Evans, a blessing. William H. Sinclair, in reporting to officials at headquarters after one of his inspection tours, best summarized the subassistant commissioners’ effects. “Agents have done everything in their power to secure to the freedpeople the results of their [labor] and have saved for them thousands of dollars which without their aid would have [been] lost.” It is clear the average agent took his

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*Facts of Reconstruction: Essays in Honor of John Hope Franklin*, Eric Anderson and Alfred A. Ross, Jr., eds. (Baton Rouge: Louisiana State University Press, 1991), 35.

<sup>43</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., February 26, 1867, AC, Letters Received, 1866-1867, reel 8; Isaac Johnson, La Grange, to E. M. Gregory, March 10, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Richard Paul Fuke, *Imperfect Equality: African Americans and the Confines of White Racial Attitudes in Post-Emancipation Maryland* (New York: Fordham University Press, 1999), 23-40.

responsibility seriously and wanted justice for the freedmen. The former slaves certainly understood that.<sup>44</sup>

Throughout the Freedmen's Bureau's existence, the desire by agents to hold whites to their contracts and ensure the former slaves received their just compensation caused great resistance. If white resistance gauged whether Bureau agents pursued justice for their constituents, then some Bureau agents were very committed to their duties. At Meridian, Philip Howard forcibly settled one hundred cases between whites and their black employers. Byron Porter, while "busily engaged in discharging" his duties, encountered resistance from "the disloyal part of the citizens." Unfortunately for Porter, that included "nearly the entire population" in his district. The performance of his duties brought about a confrontation with local officials for the agent at Columbus. After punishing a local white man for an unprovoked assault on a freedman (which headquarters determined the agent should not have done), John T. Raper found himself served with two arrests warrants for "swindling" and "false imprisonment." He ignored the warrants and endorsed on the back of it federal law granting him immunity from state jurisdiction. Nonetheless, the situation greatly worried Raper. His worries were short lived, because his muster out was near. Wanting to return home – a desire probably spurred on by his experience in Columbus – Raper left Bureau service before the civil authorities could act.<sup>45</sup>

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<sup>44</sup> Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 2, 1866, AC, Letters Received, 1866-1867, reel 4; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G, February 26, 1867, AC, Letters Received, 1866-1867, reel 8; George C. Abbott, Hempstead, to E. M. Gregory, December 16, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; James Hancock, et. al., to O. O. Howard, July 26, 1866, AC, Letters Received, 1866-1867, reel 7.

<sup>45</sup> Chauncey C. Morse, A.A.I, to William H. Sinclair, Inspector, April 6, 1866, AC, Letters Received, 1866-1867, reel 7; Philip Howard, Meridian, to E. M. Gregory, March 22, 1866, AC, Letters Received, 1866-1867, reel 6; E. M. Gregory to C. H. Whittelsey, A.A.G., Department of Texas, October 14, 1865, Letters Sent, September 1865-March 1867, reel 1; John T. Raper, Columbus, to Chauncey C. Morse, A.A.A.G., December 26, 1865, Unregistered Letters Received, 1865-1866, reel 17; Chauncey C. Morse, A.A.A.G., to John T. Raper, Columbus, January 3 and

Despite some whites' actions toward the freed community and even toward Freedmen's Bureau agents, protecting the interests of the planters was also the agents' responsibility. As with the freedmen, Bureau men not only had to educate the planters about the new labor system, but also safeguard their rights as well. No matter how thoroughly explained a contract might have been, many freedmen simply did not fully understand their responsibility or the contract's meaning. This only made enforcement all the harder. Bureau records offer a litany of instances of fines for breaking contracts, with agents either consulting or punishing – usually through fines – obstreperous, uncooperative, and ignorant laborers. “Bureau agents are entrusted with very sacred and responsible duties,” remarked one SAC. “I understand the object to be not only to protect the freedmen in their rights but also to do justice to their employers.” Historian Joe M. Richardson wrote that agents of the Bureau “were as vigorous in forcing the Negroes to adhere to their terms . . . as they were in compelling the planters to keep their part of the bargain.” Although correct in his claim that these men protected both parties to some extent, Richardson overestimated the agent's “vigor” and “compulsion” toward the weaker party. Their protection of the planter went only so far. Because many of them realized the workers were the weaker of the two parties, most Bureau men approached disputes with this in mind.<sup>46</sup>

To a great extent, when enforcing contracts, Bureau agents and their superiors took a more lenient approach toward the freedmen. Biased by the former slave's current status, both as the weaker party and as the agency's primary responsibility, they held the freed community to a different standard from the white one. “In setting the claims of Freedmen for services during the

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20, 1866, Letters Sent, September 1865-March 1867, reel 1; John T. Raper, Columbus, to C. H. Whittelsey, A.A.G., Department of Texas, Unregistered Letters Received, 1865-1866, reel 17.

<sup>46</sup> Joe M. Richardson, “An Evaluation of the Freedmen's Bureau in Florida,” *Florida Historical Quarterly* 41 (January 1963): 227; Elizabeth Bethel, “The Freedmen's Bureau in Alabama,” *Journal of Southern History* 24 (February 1948): 56; H. S. Johnson, Sumpter, to [Headquarters, 1867], AC, Letters Received, 1866-1867, reel 6.

past year,” stated Samuel C. Sloan from Richmond in early 1866, “I am governed as far as possible by equity – paying little attention to the technical violations of contracts, as I find the employer has a decided advantage over the employee, and can with little difficulty get an abundance of evidence to prove this point.” According to Mortimer H. Goddin at Livingston, he admitted that when adjudicating cases “my aim must be to be for the best [for] the freedmen as a general rule. . . .” Stanton Weaver wrote that “I got pretty well acquainted with the manner in which the business between the freedmen and their employers was conducted” in Crockett. “If left to themselves entirely,” he continued, “the planter would reduce the freedmen to a worse state than slavery (if possible) – work them the whole year under a pretty fair contract (perhaps), and then, generally, have a bill large enough to swallow the wages, or scare the poor fellows off with threats of hanging or shooting.” While holding the freedmen more accountable as time passed, nevertheless, Bureau men extended greater leeway to the field hand compared to his white employer. This approach, however expected when all factors were considered, was lost on white Texans, who saw the agent as a humiliation forced upon them. Thus, a considerable portion of the planters resisted dealing with Bureau agents, generally damning them to Hell or embarrassing them at every opportunity.<sup>47</sup>

Bureau agents expected the former bondsmen to uphold their part of the bargain. In time, such accountability affected planter attitudes. Not all planters resisted the organization’s authority. In spite of their personal preference or animus, many members of the white landed elite eventually came to accept the Freedmen’s Bureau. SACs often fielded questions by

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<sup>47</sup> Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., February 28, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., July 20, 1867, AC, Letters Received, 1866-1867, reel 5; Stanton Weaver to Sub Assistant Commissioner, Jefferson, April 5, 1867, AC, Letters Received, 1866-1867, reel 9; Thomas Affleck to Charles Griffin, August 26, 1867, AC, Letters Received, 1866-1867, reel 4; J. B. Kiddoo to [O. O. Howard], January 11, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

planters for clarifications on labor regulations, on how and in what way to pay their hands, and on any other matter of confusion. Agent B. J. Arnold at Brenham, a plantation owner himself, informed headquarters officials he was being “overwhelmed with questions” concerning the new labor system.<sup>48</sup>

Planters realized that slavery had died. More important, the freed man and woman realized slavery had died, and they tested freedom’s limits whenever possible – sometimes at the most inopportune moments, like harvest time. These actions had a profound effect on Bureau agent-planter relationships. Laborers refused orders from their employers or disputed their pay unless the details were verified by the Bureau man. Therefore, the landed elite had to turn to the despised Bureau officer out of necessity. Samuel A. Craig noted how “planters know this [the confidence the freedmen have in the Bureau agent] and overwhelm the agent” to come and talk to their hands. White landowners told the SAC in Meridian the “negro obeys the Bureau officers better than they woulded [sic] their former masters. . . .” Another Bureau agent noticed that “Inclination as well as habit bring the freedpeople and the planters to the Bureau.” He continued, “Freedpeople will insist; employers now prefer the Bureau . . . Men who do not favor the Bureau keeping control at heart do so from necessity and policy and recognize the fact that their only hope for controlling their labor is through the influence of the friend of the freedpeople.” The landed elite generally came to “accept” Bureau agents – the “friend of the freedpeople” – as a necessary evil to help control their workforce. Strangely enough, to the planter, the subassistant commissioner had now become savior as well as sinner, interloper as well as associate.<sup>49</sup>

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<sup>48</sup> Samuel A. Craig, Brenham, to Chauncey C. Morse, A.A.A.G., February 28, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Thomas Affleck to Charles Griffin, August 26, 1867, AC, Letters Received, 1866-1867, reel 4; J. B. Kiddoo to [O. O Howard], January 11, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

<sup>49</sup> Philip Howard, Meridian, to J. B. Kiddoo, September 19, 1866, AC, Letters Received, 1866-1867, reel 6; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G, February 26, 1867, AC, Letters Received, 1866-1867,

By making the freedpeople contract with their former masters and holding them accountable to that contract, Bureau agents did not return “the lamb to the wolf,” as some later historians would claim. Most freedmen realized agents truly wanted what was best for them. The magnitude and significance of their work hardly escaped the former slave. Free labor – and all that implied – dictated these men’s actions, not the white landed establishment. Slavery would not be returning in any form. Bureau agents realized that in order for free labor to work in Texas the interests of both parties had to be secured. In short, what was good for the worker was also good for the employer. Bureau officials warned field agents about being too friendly to the freedmen and overlooking the whites. They wanted Bureau men to be circumspect in their behavior; in other words, be “as wise as a serpent as well as harmless.” Agents played upon the selfishness in all to help obtain protection for the freedpeople. Commenting on how some planters had already come to see the light and what that meant for obtaining and keeping good workers, one Bureau officer believed “the plastic character of mind soon adapts itself to circumstances[,] as selfishness was the enslaver of the negro, it will now be one of the means of his elevation.” For some, this policy worked from the beginning. “I beg to say,” one planter from Bastrop County reported to Gregory in 1865, “that I find our system – ie – good wages & holding the hand to strict accountability in time and labor through his wages so advantageous. . . .” White landowners at Eagle Lake were convinced that free labor was more profitable than “the former system.” In Leon County, F. D. Inge observed planters in his district experiencing “pleasant disappointment.” The Bureau agent at Marlin Falls in early 1866 was full of optimism

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reel 8. For inquiries and requests for help by planters and observations by agents of laborers trusting Bureau agents, see J. Bates to James F. Hutchison, Columbia, July 5, 1866, SAC, Letters Received, January 1866-December 1868, reel 15; Aaron Coffee to James F. Hutchison, Columbia, September 2, 1866, SAC, Letters Received, January 1866-December 1868, reel 15; Charles Power to E. M. Gregory, October 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; James L. Greene to E. M. Gregory, October 2, 1865, Unregistered Letters Received, 1865-1866, reel 17; Louis H. Jacobs, Crockett, to J. T. Kirkman, A.A.A.G., May 4, 1867, AC, Letters Received, 1866-1867, reel 6.

when he promised a report reflecting much credit on the Freedmen's Bureau. In its infancy during Gregory's administration, the policy of protecting the freedmen through the bottom line of the planter would become of greater importance as time passed.<sup>50</sup>

Bureau men soon discovered that implanting a new labor system, in and of itself, was a full-time job. Inspecting their districts, overseeing contracting, and ensuring that each party abided by the contract terms amounted to a full time job. But added to the many other responsibilities as subassistant commissioner, the workload could prove too much for some men. From Crockett, Stanton Weaver, after only a couple of months on the job, found that "the work of my office is more than I can attend to properly myself." He admitted that "I do not pretend to attend to anything but the approving of contracts and trying of cases when freedmen have been maltreated." The workload prompted one inspector in 1867 to declare, in answer to charges to the contrary, the position of a subassistant commissioner "is no sinecure nor are their duties of a pleasant and agreeable character." Those appointed under Gregory routinely complained about the workload; in one form or another, complaints persisted to the end, but were not nearly as frequent as Bureau officials increased the number of field personnel in later years and showed its intolerance for such complaints. William H. Rock, one of the most respected and longest tenured of all Bureau men in Texas, and described by Bureau inspector William H. Sinclair as "an agent that could not be easily replaced," adopted a most rigorous policy while at Richmond. Rather than sit in his office and wait for problems to come to him, he decided to "visit . . . every

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<sup>50</sup> O. O. Howard to E. M. Gregory, November 3, 1866, M742C, Letters Sent, May 16-December 1865, reel 1; S. J. W. Mintzer, Surgeon in Chief, to [E. M. Gregory], December 1, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29; W. H. Williams to E. M. Gregory, December 9, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; P. H. Webster to [E. M.] Gregory, February 5, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, A.A.G., to F. D. Inge, Leona, March 27, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; George C. Abbott, Hempstead, to E. M. Gregory, November 22, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985), 83; A. P. Delano, Marlin Falls, to Chauncey C. Morse, A.A.I.G., February 14, 1866, AC, Letters Received, 1866-1867, reel 5.



plantation” within his district, and not surprisingly, he found it “very fatiguing for I am in the saddle every day more or less.” But he also found this way to be the most effective policy.<sup>51</sup>

George C. Abbott groused about his duties at Hempstead. “[S]ometimes for a week I can’t get more than one or two nights sleep,” he stated, “and have often ridden forty miles in 24 hours besides attending to my office duties.” He believed his duties were more than one man could effectively handle, but reaffirmed to superiors his “splendid health.” In contrast to Rock, who remained with the organization for years and appeared to thrive on the work, Abbott quickly tired of the workload, despite his claims of steeled resolve. In fact, his self-evaluation was premature. One month after his affirmation, Abbott no longer felt “competent to the proper discharge of the duties of this office” and asked for and received a discharge in early 1866. Contrary to the conclusion reached by some students of the Freedmen’s Bureau, most SACs saw their positions as anything but sinecures.<sup>52</sup>

Confusion about their purpose made their already difficult task all the more difficult. Beyond the broadly defined policy of instituting free labor and protecting the interests of the freedmen, few Bureau agents in Texas seemed fully to understand their authority. Reconstruction historian J. Thomas May found a similar situation in his study of the Freedmen’s Bureau in Louisiana, as did historian Lynda J. Morgan in her study of Virginia. Writing from Sutherland Springs in January 1866, William Longworth wanted to know the “maximum of my jurisdiction,” for he already knew the “minimum.” Officials wanted their subordinates “to be

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<sup>51</sup> Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., March 1, 1867, AC, Letters Received, 1866-1867, reel 8; William H. Sinclair, Inspector, Galveston, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Rock, Richmond, to William H. Sinclair, A.A.G., AC, August 9, 1866, AC, Letters Received, 1866-1867, reel 7.

<sup>52</sup> George C. Abbott, Hempstead, to E. M. Gregory, December 16, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; George C. Abbott, Hempstead, to E. M. Gregory, January 16, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Litwack, *Been in the Storm so Long*, 418.

thoroughly introduced to their duties.” Unfortunately, this did not always happen. Stanton Weaver and John T. Scott, the agents at Crockett and Victoria, respectively, seemed confused about how to write contracts, what specifics to include in them, and fines were to be levied for breach of contract. From Indianola, Eugene Smith wondered if he had the authority to call on the post commander for assistance in arresting criminals. Still unsure after receiving verbal instructions from Gregory, Johnathan T. Whiteside fired off three letters in approximately one week, still wanting direction.<sup>53</sup>

A few SACs were puzzled by the boundaries of their districts. Some believed they extended only a few miles, while others thought they had jurisdiction throughout the whole state. Jacob C. DeGress, a very zealous and committed agent at Houston, believed his authority extended statewide, regardless of subdistrict lines. Such a broad interpretation caused strife between him and other agents, as he began “stepping on their toes.” B. J. Arnold, full of willingness and zeal himself, nevertheless, believed he needed to have “some further and more definite instructions than those which you have given me.” This problem existed throughout the Freedmen’s Bureau’s existence. In April 1866 Joseph Ferguson at San Antonio admitted that the lack of direction from superiors was “leaving me at a loss as to my duty.” In his request for forms to make out his reports, Ferguson further requested “some general information as to my duties and the authority vest in me.” Byron Porter admitted that the “greatest difficulty I have labored under has been caused by the want of definite instructions relative to the extent of my

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<sup>53</sup> William Longworth, Sutherland Springs, to Captain, January 15, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; May, “Freedmen’s Bureau at the Local Level,” 17; Lynda J. Morgan, *Emancipation in Virginia Tobacco’s Belt, 1850-1870* (Athens: University of Georgia Press, 1992), 134; Chauncey C. Morse, A.A.A.G., to Stanton Weaver, Crockett, January 15, 1866, AC, Letters Received, 1865-1866, reel 1; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., January 17, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., February 13, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Byron Porter, A.A.G., to John T. Scott, Victoria, December 9, 1865, AC, Letters Received, 1865-1866, reel 1; Eugene Smith, Indianola, to [E. M. Gregory], December 24, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Johnathan T. Whiteside, Courtney, to [E. M. Gregory], November 30, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17

jurisdiction and powers.” In June 1868 Willis A Bledsoe stated that “One difficulty is I am not Posted as regards my duties. Many thing[s] come up that puzzle me to know how to dispose of them not having had any thing to do with matters of this kind before.” John T. Raper at Columbus greatly desired direction dealing with apprenticing. “I have had no conversation with you upon this subject,” he relayed. “I was simply told to do as was right and proper.” That was the answer from those at headquarters to many an inquiry for direction or clarification.<sup>54</sup>

Legal matters only added to Bureau agents’ confusion and uncertainty. The amalgamation of Bureau policy and state laws sometimes created conundrums that puzzled the best legal minds. Consider some of the pleas for advice in 1868 by C. C. Raymond, the agent at Seguin. “In all contracts, either written or oral for cropping on the shares,” he wrote, “can I not adjudicate accounts between the parties and render judgment against either party for balances due and enforce the judgment by a writ given to the sheriff.” Or should he “let him seize property and sell the same.” Reynolds further asked, if “in cases when freedmen have been impaired in their property, and the civil law will not remunerate them as the law exempting property from sale would operate so as to prevent freedmen obtaining redress,” can “I take cognizance of these cases and enforce payment?” These and other points often taxed a Bureau man’s limited legal knowledge. One Bureau agent spoke for many others when he declared, “[T]here ought to be two good smart lawyers to do nothing else than just sit here from morning

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<sup>54</sup> B. J. Arnold, Brenham, to E. M. Gregory, October 30, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Joseph Ferguson, San Antonio, to William H. Sinclair, A.A.G., April 28, 1866, AC, Letters Received, 1866-1867, reel 5; Byron Porter, Austin, to J. T. Kirkman, A.A.A.G., February 8, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Willis A. Bledsoe, Lancaster, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Hiram Seymour Hall, Marshall, to E. M. Gregory, December 9, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., November 5, 1866, AC, Letters Received, 1866-1867, reel 5.

till night and answer questions.”<sup>55</sup>

In reply to inquiries, Bureau officials either deferred to agents (“use your best judgment” or “you must be your own judge in each particular case”) or referred them to various general or circular orders, congressional statutes, military and Freedmen’s Bureau manuals, or other pertinent instructional aides they were to have in their offices. But many field agents lacked the material. To a great extent, subassistant commissioners were ignorant of their jurisdiction, their power, and the Bureau’s policies. The second problem was partly caused by the first: many men in the field lacked the necessary instructional aids. They frequently expressed their need for such materials. In Colorado County, Eli W. Green asked for “copies of all recent orders . . . in regard to this ‘Bureau’ that may be issued.” Byron Porter informed superiors that “Scarcely a day passes in which I do not suffer annoyance and inconvenience from this want and this office [is] doubtless not the only one destitute of proper records.”<sup>56</sup>

Headquarters in Galveston expected its subordinates to abide by orders and regulations, even if they had not yet received them. For example, Albert Evans at Edinbough in South Texas was notified he had not followed orders “in not applying for permission to rent an office.” When Evans informed superiors he had yet to receive such orders, J. P. Richardson, the acting assistant adjutant general, replied, “[W]hether you received Gen. Orders No. 10 or not you must comply.” Richardson continued by reminding Evans that “it is true, as you observe, that the government pays its officers and employees . . . for their services; but there is a condition . . . which you seem

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<sup>55</sup> C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., June 23, 1868, AC, Letters Received, 1867-1869, reel 14; George C. Abbott, Hempstead, to E. M. Gregory, December 16, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

<sup>56</sup> Eli W. Green, Columbus, to Chauncey C. Morse, A.A.A.G., October 24, 1865, AC, Letters Received, 1865-1866, reel 17; Byron Porter, Austin, to Henry A. Ellis, A.A.A.G., November 2, 1866, AC, Letters Received, 1866-1867, reel 7; John T. Scott, Victoria, to [E. M. Gregory], November 12, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

to have overlooked, viz – that those officers and employees obey the orders they receive and discharge their duties as requested.”<sup>57</sup>

From Sutherland Springs, William Longworth wrote that all “the practical part of my business I fully understand,” and with “the necessary data to guide me I hope to be as effective, and trouble you as little as any one . . . under you.” Philip Howard informed Bureau headquarters of his dilemma. “I am no military man,” he admitted. “I know nothing about your army regulations . . . [I]n the orders I have received it requires me to do many things and comply to forms No. so and so which is impossible for me to do unless I am furnished with [them].” John T. Raper summarized his and certainly the feelings of many of his fellow agents when he stated that “I have done to the best of my ability, but I lack that faith in myself that a conversation with you would give.” The want for guidance and clarification never abated and remained a consistent problem throughout the organization’s existence. Many Bureau agents in Texas never fully understood their authority or the organization’s guidelines and policies, and thus were constantly in need of direction.<sup>58</sup>

The best way for Bureau officials to assist their agents was to provide an adequate military presence. Because of demobilization, this was not a practical option in many cases. Field agents had to look to other means for assistance; most of the time that meant a clerk or appointed subordinate. These “unauthorized” appointments continued to a lesser extent under Gregory’s successors’ administrations. Headquarters at Galveston, greatly hindered by budgetary constraints and desirous to have only one Bureau representative in each subdistrict,

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<sup>57</sup> J. P. Richardson, A.A.A.G., to Albert Evans, Edinburgh, December 9, 1867, SAC, Press Copies of Letters Sent, October 1867-February 1868, reel 2.

<sup>58</sup> William Longworth, Sutherland Springs, to Captain, January 15, 1866, Unregistered Letters Received, 1865-1866, reel 17; Philip Howard, Meridian, to E. M. Gregory, April 1, 1866, AC, Letters Received, 1866-1867, reel 6; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

too often resisted such pleas. On paper, Hiram Seymour Hall's district included all of northeast Texas, some forty counties. But in reality, due to the chaotic condition of that region, his jurisdiction extended only a few miles outward from Marshall. After repeated requests for help in overseeing the largest subdistrict in Texas, and with no immediate answer from superiors, Hall appointed the provost marshal in Smith County to aid him. Bureau officials in Galveston soon discovered Hall's unauthorized move, and in spite of B. R. Lignowski's adequate work and pleas to remain in service with Hall, his "appointment" was revoked.<sup>59</sup>

On the surface, these disagreements between agents and officials at headquarters look like typical parsimonious, bureaucratic interplay. But it goes deeper than that. These disputes highlight the belief shared by many Bureau agents in the field, a belief that persisted until the agency ceased operations in the state: officials at headquarters never *truly* understood what conditions were like on the ground or the demands on the agents. Many unanswered requests from Bureau headquarters, along with other slights – actual and perceived – only led to more frustration, which sometimes led to exhaustion on the field agent's part. These men expected resistance from white Texans but not from their superiors. Asked to carry out an unprecedented task in a hostile environment, Bureau agents expected, at minimum, the confidence and support of their superiors. Too often and on too many occasions, whether warranted or not, they believed that support was lacking. The responsibilities and the constant strain of being "a stranger amongst strangers" certainly took a toll on even the most resolute men. More than a few of the men appointed by Gregory did not understand what exactly they were getting into or

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<sup>59</sup> Hiram Seymour Hall, Marshall, December 9, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Christopher B. Bean, "A Most Singular and Interesting Attempt": The Freedmen's Bureau at Marshall, Texas," *Southwestern Historical Quarterly* 110 (April 2007): 468. For other examples of agents appointing subordinates without proper authorization or agents requesting a clerk and officials at headquarters declining the request, see John M. Barbour to Charles Griffin, February 2, 1867, AC, Letters Received, 1866-1867, reel 4; Chauncey C. Morse, A.A.A.G., to Fred E. Miller, January 17, 1866, AC, Letters Received, 1865-1866, reel 1; and Chauncey C. Morse, A.A.A.G., to William H. Farner, Millican, January 22, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

severely underestimated the amount of time and effort necessary to be a subassistant commissioner. Because they were always on duty, their families, second jobs, and their homesteads all suffered. The SAC at Courtney, Johnathan T. Whiteside, a resident businessmen and planter in the community, often complained of the workload and its effect on his civilian responsibilities. “I will be entirely occupied with” the work of this position “to the entire neglect of my business,” he informed superiors at headquarters in late 1865. A religious man who quoted Biblical passages in his reports, Whiteside noted the “bible tells that he who provideth not for his family deny[sic] the faith, and is worse than an infidel.” Wanting to live up to the Lord’s standards and overwhelmed by the workload, Whiteside resigned in the spring 1866, but not before requesting that Bureau officials allow his successor, N. H. Randlett, to make his headquarters at his plantation. Bureau officials deemed this “not advisable.” Gregory’s doubts about Whiteside were later confirmed when a Bureau agent at Navasota reported that Whiteside and his son had stripped and whipped a freedwoman.<sup>60</sup>

In late 1865 and early 1866 Bureau officials in Texas faced a dilemma: at the very time the organization was expanding its operations, it experienced a manpower shortage. Gregory – as well as his successor J. B. Kiddoo – was forced to appoint civilians as agents, regardless of any suspicions he had about scalawags. When appointing scalawags, all assistant commissioners in Texas turned to the aid of reputable Unionists like future governors E. J. Davis and E. M. Pease, and Henry C. Pedigo, a prominent judge in Texas. In fact, 36 percent (11 of 30) of the agents Gregory appointed were civilians. At the time of Gregory’s removal in March 1866, ten of his scalawag agents still remained with the organization. Civilian agents’ efficacy ran the

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<sup>60</sup> Johnathan T. Whiteside, Courtney, to [E. M. Gregory], December 8, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Johnathan T. Whiteside, Courtney, to [J. B. Kiddoo], April 24, 1866, AC, Letters Received, 1866-1867, reel 9; William H. Sinclair, A.A.A.G., to Johnathan T. Whiteside, Courtney, April 28, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; DeWitt C. Brown, Navasota, to [J. T. Kirkman, A.A.A.G.], March 7, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

gamut from superb to criminal and incompetent, with the latter two being the rule. In fact, with the exceptions of John F. Brown and J. Orville Shelby, both of whom did adequate jobs, and Philip Howard, an agent that officials noticed was industrious, hard working, and dedicated to his position, the rest of Gregory's civilian agents were either apathetic, incompetent, controversial, or criminal. Bureau historian William L. Richter concludes that Texas Bureau scalawags were hardly worth the trouble, concerned with political patronage and revenge, and too often unqualified, incompetent, or malfeasant. Although the political patronage claim is debatable, Richter's sweeping indictment, although harsh in its delivery, is accurate.<sup>61</sup>

Selecting civilian agents was more art than science. Two cases illustrate the difficulty Bureau assistant commissioners had in choosing the "right" man. After his stint with the organization, George C. Abbott got mixed up with unscrupulous men and was killed. J. B. Kiddoo, Gregory's successor as assistant commissioner of Texas, described Abbott as "a very bad man who was killed by an accomplice in rascality in a personal difficulty." At the time, that statement was unquestioned, but Abbott's tenure as subassistant commissioner suggests otherwise. Malfeasant at the time of his death, this man showed no tendencies of the sort while serving the agency, and no evidence exists to the contrary. Officials at headquarters never questioned Abbott's commitment and dedication to the freedpeople, and no one claimed he ever did anything other than what his duties called for.<sup>62</sup>

William H. Farner's case further highlights the ambiguity in human actions and character. Juggling his personal business affairs and his duties with the Bureau was too much for the local

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<sup>61</sup> Chauncey C. Morse, A.A.I.G., to William H. Sinclair, A.I.G., April 6, 1866, AC, Letters Received, 1866-1867, reel 7; Richter, *Overreached on All Sides*, 52, 49-54. The 36 percent is noticeably lower than the fifty percent claimed by Bureau historian William L. Richter (See Richter, *Overreached on All Sides*, 49).

<sup>62</sup> Endorsement of letter from Samuel Thomas to J. B. Kiddoo, August 20, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Carpenter, *Sword and Olive Branch*, 101.



doctor, and on several occasions, without authorization, he appointed “clerks.” Local citizens accused Farner of neglect, and one of these “clerks” eventually turned out to be quite an unscrupulous character. With accusations and controversy swirling around Farner, Bureau headquarters sent an inspector to investigate. After a thorough examination, the inspector concluded that the subdistrict was satisfactory. The inspector, in fact, actually applauded Farner for his industry and dedication. Overwhelmed by the workload, Farner resigned from the Freedmen’s Bureau. To complicate matters, white citizens later accused Farner, who at the time of the accusation was no longer with the organization and was assisting his successor at Millican, of abuse while enforcing Freedmen’s Bureau policy. He and his replacement, Robert McClermont, a military officer with the 4<sup>th</sup> Cavalry, punished freedmen for violating their contracts with a common yet unsavory practice in the military known as hanging by the thumbs.<sup>63</sup>

It would be easy to latch upon this case as an example of the problems civilian agents caused or to indict them for planter-Bureau collusion. But the particular circumstances were more complex. This was mainly his successor’s method to punish violators, not Farner’s, for no mention of such stern penalties was made while he was agent at Millican. In fact, McClermont not only informed Farner that “fines and military punishment were to be resorted to” against those guilty of infractions, but he also told Champ Carter, an agent also later accused of such punishment, the same thing. Second, the military employed this tactic for punishment against freedmen, and Freedmen’s Bureau officials had great difficulty disabusing some subordinates

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<sup>63</sup> Champ Carter, Millican, [Chauncey C.] Morse, A.A.AG., January 21, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Charles Harrison to Colonel, May 5, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Farner, Millican, to [Samuel C.] Sloan, December 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Special Orders No. 75, May 10, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Chauncey C. Morse, A.A.I.G., to William H. Sinclair, A.I.G., April 6, 1866, AC, Letters Received, 1866-1867, reel 17.

from using this punishment against the former bondsmen, although it was a common practice by Bureau men. Furthermore, throughout the Bureau's existence in Texas, most claims of abuse – flogging, hanging by the thumbs, and allowing employers to discipline in ways reminiscent of slavery – were made against army officers, not civilian appointees. Once informed his conduct was unacceptable to the agency's mission, Farner ceased engaging in such methods, for no further instances of abuse surfaced. And finally, although white citizens accused him of intemperance, no accusations were made that he cheated, swindled, or abused freedmen while he was subassistant commissioner. Having been a SAC, Farner knew violations against the freedpeople sometimes went unpunished, and certainly if he wanted to, he knew how to skirt guidelines and policies to avoid punishment. Although prone to lapses in judgment and influenced by the racial beliefs of the day – he would not have punished a white man in the same manner – it appears that Farner entered his assignment with anything but nefarious intentions, but completely underestimated the workload, his own ability, and, most definitely, the tolerance of Freedmen's Bureau officials.<sup>64</sup>

The initial months of the Bureau in Texas can best be likened to a work in progress. Officials at headquarters and field agents alike attempted to work out the bureaucratic kinks, but were not always successful. As the initial agents entered their posts, full of zeal and pride, they too often lacked the necessary accoutrements. The ignorance of many Bureau men about their

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<sup>64</sup> Champ Carter, Marlin Falls, to [Headquarters], April 19, 1866, AC, Letters Received, 1866-1867, reel 4; Charles Harrison to Colonel, May 5, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Foner, *Reconstruction*, 154; Howard, *Autobiography*, 2:246. For accusations of abuse by the military or military personnel while Bureau agents, see Benjamin J. Brisbane, Chaplain 2<sup>nd</sup> Wisconsin Volunteer Cavalry, Hempstead, to Thomas W. Conway, Superintendent of Freedmen, Department of Gulf, September 14, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Fred W. Reinhard, Centreville, to [Headquarters], November 16, 1866, AC, Letters Received, 1866-1867, reel 9; Frank Holsinger, Beaumont, to William H. Sinclair, A.A.G., April 5, 1866, AC, Letters Received, 1866-1867, reel 6; and Byron Porter, Houston, [E. M. Gregory], January 13, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17. For examples of military officers punishing freedmen in abusive ways, see Harry Wilcox Pfanz, "Soldiering in the South During the Reconstruction Period, 1865-1877" (Ph. D. diss., Ohio State University, 1958), 74-82.

authority and their underestimation of the workload only compounded the problem. Beyond the broad goal of implementing free labor and protecting the freedmen's rights as citizens, much remained murky. The subassistant commissioners were left to "use their best judgment" or slow their work by constant calls on headquarters at Galveston.

Both options caused unnecessary frustration and to a great extent outright bickering between those at headquarters and their subordinates in the field. Furthermore, with Bureau men "using their best judgment," the desired consistency was impossible. The responsibility for rectifying the situation, however, would no longer fall to Gregory. Planters were angered at the assistant commissioner's zeal for the welfare of the former slaves and many, both planters and military officials in Texas, believed Gregory's "zest and energy" for the freedmen were at the expense of the planters as well as the Freedmen's Bureau's effectiveness. Therefore, in late March 1866, Howard reassigned Gregory to Washington and assigned Brevet Major General Joseph B. Kiddoo in his stead. It would be up to Kiddoo to fix not only some of the problems that bedeviled his predecessor, but also to extend the power and influence of the Freedmen's Bureau.<sup>65</sup>

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<sup>65</sup> Special Orders No. 46, O. O. Howard, March 30 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Crouch, *Freedmen's Bureau and Black Texans*, 19-20; Special Orders No. 48, O. O. Howard, April 2, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

## CHAPTER 3

### CONSERVATIVE PHOENIX: THE J. B. KIDDOO ERA, MAY 1866-SUMMER 1866

White Texans saw Gregory's removal as a victory, albeit limited. It encouraged them to greater resistance, believing they could alter their condition through their "restrained belligerence." In the spring of 1866 whites increased their opposition to federal attempts at Reconstruction in ways not seen since the end of the war. Their resistance moved from verbal criticism in the spring to acts of violence by the summer. Their struggle was set against the backdrop of restoration to their seats in Congress, for as whites defied the Freedmen's Bureau, they also busied themselves with readmission under President Andrew Johnson's Reconstruction plan. As state politicians met certain benchmarks for readmission, their constituents desired greater control over their civil affairs and less federal oversight. Embodying this sentiment was Governor James W. Throckmorton, who, through his actions and words, was the torch bearer for his "defeated" countrymen. And in this hostile atmosphere, a new assistant commissioner took the reigns and attempted to succeed where his predecessor had failed.

Brevet Major General Joseph B. Kiddoo brought much experience and commitment to his new position. He entered the army in 1861. While serving with the 63<sup>rd</sup> and 137<sup>th</sup> Pennsylvania Volunteer Regiments (units in the Army of the Potomac), he quickly rose through the ranks for his "meritorious" actions in the Peninsular and Chancellorsville Campaigns in 1862 and 1863. In late 1863 he transferred to the newly created colored infantry service. An officer in both the 6<sup>th</sup> and 24<sup>th</sup> United States Colored Infantry Regiments, Kiddoo participated in the siege of Petersburg, Virginia, throughout late 1864 and early 1865. While leading his men in an unsuccessful attack against the city's defenses, Kiddoo received a "lacerated wound of the back by a minié ball." Because of a "fistulous opening," his wound never fully healed. For the rest of

his life, it discharged “half an ounce to an ounce of pus” daily. This wound, which surely prematurely ended his life at age forty, was extremely painful and often incapacitated him for days. For his actions before Petersburg, Kiddoo was honored in September 1865 with a promotion to brigadier general.<sup>1</sup>

Kiddoo arrived in Texas in May 1866 and discussed conditions in the state with the outgoing assistant commissioner, Gregory. In a letter informing Howard about the situation in Texas, Kiddoo called it “very agreeable.” In fact, he claimed to be more than satisfied with conditions in Texas when he wrote to Washington. “I am agreeably disappointed,” he said, “in all I have heard or seen thus far.” His glowing report, however, masked significant problems with the labor situation in Texas, most notably enticements – luring one to break a labor contract in order to contract with another. Field agents reported numerous instances of enticement in early 1866, which “openly set at defiance the authority of the Bureau.” In Wharton County, J. W. McConaughey knew about a planter who had bragged about having “ten thousand dollars to spend to back the negroes in staying” after he had enticed them from others. Stanton Weaver noticed widespread disappointment by the planters with their field hands, while Samuel C. Sloan at Richmond dealt with the demoralization in his district. In Robertson County, Champ Carter pleaded with those at headquarters for redress of his district’s problems. “I tell you frankly General,” he declared, “. . . if the demoralization is not stopped – if the contracts are not enforced . . . if the freedmen are not required to return & comply with their contracts when they

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<sup>1</sup> Otis, ed., *Medical and Surgical History of the War*, 3:234; Richter, *Overreached on All Sides*, 79-80; Boatner, *Civil War Dictionary*, 458-459; Francis B. Heitman, *Historical Register and Dictionary of the United States Army, From Its Organization, September 29, 1789, to March 2, 1903*, 2 vols. (Washington, D.C.: Government Printing Office, 1988), 1:596; Tyler, ed., *New Handbook of Texas*, 3:1091; William H. Powell, comp., *List of Officers of the Army of the United States From 1779 to 1900* (New York: L. R. Hamersley and Company, 1900), 413; J. B. Kiddoo to O. O. Howard, October 25, 1866, O. O. Howard Papers, 1833-1912 Correspondences, Freedmen’s Bureau Period, M91, Box 4, Bowdoin College, Brunswick, Maine (hereafter cited as Howard Papers – Bowdoin).

leave without cause – if the planter is not punished who hires a freedmen with another planter the whole planting interest & every interest [will suffer].” He continued with a warning that all “hangs on a balance as fickle as the wind.” A correspondent with the *New York Herald*, who had toured Texas and witnessed these problems, compared the Freedmen’s Bureau’s attempt to regulate labor to tickling a rhinoceros with a straw. It certainly was going to be as difficult at task.<sup>2</sup>

Within a few weeks of writing to Commissioner Howard about his agreeable disappointment with conditions in Texas, Kiddoo wrote a less sanguine letter to his superior detailing the problems reported by his field personnel. These problems, according to Kiddoo, were caused by flawed policy and the ripples and difficulties inherent in transitioning from one labor system to another. Gregory showed sympathy for the freedmen even though they were not as responsible or disciplined as their white counterparts. The freedpeople, recently emancipated from a system that had retarded them socially and psychologically, had yet to learn their responsibilities, and thus, his predecessor dealt with them quite leniently. Such leniency, according to the more conservative Kiddoo, caused unnecessary and preventable problems. Both planters and their hands had to be held accountable. This was the only way to ensure a “vigorous system of labor.” He sounded this change in policy through Circular No. 14, a measure he deemed “simple justice.” The new standard would throw “moral influence about the Freedmen in their transition state.” With the order, he wanted to “induce them to maintain inviolate the

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<sup>2</sup> J. B. Kiddoo to O. O. Howard, May 14, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; J. W. McConaughey, Wharton, to [E. M. Gregory], January 11, 1866, Unregistered Letters Received, 1865-1866, reel 17; Champ Carter, Sterling, to [Headquarters], May 21, 1866, Letters Received, 1866-1867, reel 4; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., January 31, 1866, Unregistered Letters Received, 1865-1866, reel 17; Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., January 16, 1866, Unregistered Letters Received, 1865-1866, reel 17; *New York Herald*, July 30, 1866.

provisions of so solemn a legal document as a written contract.”<sup>3</sup>

Leniency resulted in a “flagrant violation of the laws of Contracts,” according to Kiddoo. The new assistant commissioner viewed enticement as “dishonorable . . . [and] destructive to the energetic system of labor the bureau desires to establish.” In fact, the practice had become so prevalent that it threatened the state’s agricultural interests. As one disgruntled planter put it, “High wages offered by asses has turned [the freedmen’s] heads.” Kiddoo hoped Circular No. 14 would remedy this by making it illegal for “any employer, planter, or other person [to] tamper with, or entice laborers to leave their employers with whom they have contracted in good faith.” Fines were at the discretion of the subassistant commissioners and could be as high as five hundred dollars for planters and fifty dollars for freedmen. According to James D. Schmidt, a student of the Reconstruction labor system, Kiddoo had revived labor law not used in the North since the 18<sup>th</sup>-century. In reality, however, the new policy was not much stricter than Gregory’s, because Bureau officials still prohibited their agents from using physical coercion against freedmen who refused to sign or had broken their contracts (“compel the negro to work without resorting to physical punishment”). As “their friend and guardian,” Bureau agents were to inform hands of the consequences of breaking their contracts. If persuasion did not work and the hand still left before the conclusion of the contract, the freedperson was to be fined. In essence, the new regulations held the planter as well as the freedmen equally responsible for their actions.<sup>4</sup>

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<sup>3</sup> J. B. Kiddoo to O. O. Howard, May 28, 1866, AC, Letters Received, 1865-1866, reel 1; Circular No. 14, May 15, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Richter, *Overreached on All Sides*, 81; Richardson, *Death of Reconstruction*, xiv.

<sup>4</sup> Circular No. 14, May 15, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Roark, *Masters Without Slaves*, 136; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 21, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from J. B. Moore, Seguin, to William H. Sinclair, A.A.G., July 25, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Schmidt, *Free to Work*, 128; Circular No. 14, May 15,

Much of the labor system's success depended on the Bureau agents in the field. In another circular, Kiddoo required all field personnel to tour their subdistricts to disseminate and to explain the new regulations. To a great extent, agents under Gregory could perform their duties by never leaving their offices. Officials at Bureau headquarters in Galveston had previously never explicitly mandated field personnel to make field trips. Kiddoo, on the other hand, now ordered tours as part of his agents' duties. This greatly increased their already sizable workload. For some, it proved too much. J. Ernest Goodman, the Bureau agent at Columbus and a VRC officer, told his superiors that his injuries allowed "but a partial tour" of his district. The Bureau agent in Fort Bend County, it was later revealed, had never distributed the circular in his district. Livingston Bureau agent and wealthy planter, James A. Hogue, wanted no part of this expansive duty. After completing a tour of his district and finding the "crops of this section very backward [sic]" and "the Blackman . . . not getting justice," Hogue, possibly realizing he was not up to the task or unwilling to exert himself for no pay, resigned his commission. L. S. Barnes at Crockett informed superiors that it would be "inadvisable" to tour his district in order to disseminate information to the freedmen and planters. "First, because I have no means of traveling nor do I understand that the Government furnishes any," Barnes wrote. "Second, because I am convinced from the present state of things in the county that but little good could result there from. I am embarrassed by my position but have tried to do the best thing." For similar reasons of health, laziness, or impracticality – some men had districts hundreds of square miles in size – subassistant commissioners in other states also did not fully comply with mandated tours. No longer suggested or implied – a sign that officials at Galveston might have suspected their field personnel were not leaving their offices very often – these tours for agents

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1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.



in the Lone Star State were now expected and caused a greater strain for Bureau men. Men who tried to remain in their offices, without touring their districts as expected, would now be dealt with accordingly, i.e., released from duty.<sup>5</sup>

Others, however, seemed to relish the new work and responsibilities. Sterling agent Champ Carter, who was also a lawyer and farmer, toured six counties in north central Texas in late 1866 and admitted the necessity for the order. Obviously influenced by the racial beliefs of the time, he concluded that former slaves in Texas were less intelligent than those in other southern states. “I have circulated it [Circular No. 14] wherever I have been,” Carter wrote, and “it is having a most charming and refreshing effect, it is elevating the morale of the country – it is calling down blessings on your head sir.” Carter reiterated that “I have never gone back to cases prior to the issue of the circular order.” On his trip, Carter even found time to deal with vagrancy, to recommend suitable candidates for future appointments to the Bureau, and to shut down a brothel. Carter, now a convert to Kiddoo’s “sterner” approach, found it to be more effective than “moral suasion” and believed the new policy was “very different from Gen. Gregory’s, and *much better*.”<sup>6</sup>

Carter was not alone in his observations. Other Bureau men also noticed that the order had “produced a most happy effect.” According to them, labor and capital had finally been

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<sup>5</sup> J. Ernest Goodman, Columbus, to William H. Sinclair, A.A.G., July 31, 1866, AC, Letters Received, 1866-1867, reel 5; James A. Hogue, Livingston, to J. B. Kiddoo, July 13, 1866, AC, Letters Received, 1866-1867, reel 6; James A. Hogue, Livingston, to J. B. Kiddoo, July 18, 1866, AC, Letters Received, 1866-1867, reel 6; L. S. Barnes, Crockett, to Henry A. Ellis, A.A.A.G., October 20, 1866, AC, Letters Received, 1866-1867, reel 4; Circular No. 17, June 19, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Rock, Richmond, to Lemuel K. Morton, A.A.A.G., September 19, 1866, AC, Letters Received, 1866-1867, reel 7; Special Orders No. 100, August 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Endorsement of letter from L. S. Barnes to Henry A. Ellis, A.A.A.G., October 13, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

<sup>6</sup> Champ Carter, Sterling, to [J. B. Kiddoo], June 6, 1866, AC, Letters Received, 1866-1867, reel 4; Champ Carter, Sterling, to [J. B. Kiddoo], June 19, 1866, AC, Letters Received, 1866-1867, reel 4; Champ Carter, Sterling, to [J. B. Kiddoo], September 13, 1866, AC, Letters Received, 1866-1867, reel 4; Special Orders No. 51, March 12, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

married. During the spring and summer of 1866, those in the field reported satisfactory labor conditions in their districts. In Harris County, Byron Porter had few contract violations in his district, and Charles P. Russell at Gonzales reported the same. Conditions in Hempstead, wrote H. W. Allen, “will speak favorably for the new system of free labor.” Albert A. Metzner believed “nine tenths of the Freedmen” had contracted in DeWitt County. Samuel C. Sloan spoke for many of his fellow agents when he declared, albeit prematurely, that free labor “under the proper workings of the Bureau [was] a decided success.” Happiest of all, however, were the planters, for the order put the freedmen back on the plantation. “Circular No. 14 [has] given general satisfaction among the planters,” wrote L. S. Barnes at Crockett.<sup>7</sup>

The order apparently had a salutary effect on race relations, most definitely because the freedmen were returned to the fields where most white Texans believed they belonged. Field agents described how many whites had begun to deal fairly with the freedpeople. In return, the former slaves had begun “to work and comply with their contracts.” Noting the high expectations of the planters, Isaac Johnson had nothing but good things to say about labor conditions and relations in La Grange. Johnathan F. Brown in Grimes County told superiors that planters were happy with their hands and the contract system. Alex B. Coggeshall stated that the “planters of this county seem to be disposed to treat the freedmen fairly and the freedmen have exceeded the expectations of the most hopeful.” Another Bureau agent wrote about how Kiddoo’s the stricter policy toward freedpeople had affected the planters’ behavior. “They, the

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<sup>7</sup> J. B. Kiddoo to O. O. Howard, July 23, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., July 12, 1866, AC, Letters Received, 1866-1867, reel 4; Albert A. Metzner, Clinton, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 7; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 30, 1866, AC, Letters Received, 1866-1867, reel 4; Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., June 27, 1866, AC, Letters Received, 1866-1867, reel 8; Byron Porter, Houston, to William H. Sinclair, A.A.G., June 8, 1866, AC, Letters Received, 1866-1867, reel 7; Charles P. Russell, Gonzales, to [William H.] Sinclair, A.A.G., August 4, 1866, AC, Letters Received, 1866-1867, reel 7; J. B. Kiddoo to O. O. Howard, August 29, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Carl Moneyhon, *Texas After the Civil War: The Struggle of Reconstruction* (College Station: Texas A&M University Press, 2004), 56.

employers,” he stated, “have become scared since some of their number [was] sentenced to hard labor.” But this, like so many other rules, had exceptions, and a number of Bureau agents thought these expressions of amity and fairness from planters were fleeting.<sup>8</sup>

For all the better relations and enforcement, problems still existed. There were still complaints that planters had not yet settled with their hands for the previous year’s work (a problem not experienced by all Bureau men in the same degree). Moreover, some SACs were confused about the kind of payment that should be paid. Planters also expressed their discontent with idle freedmen and perceived lax enforcement by some Bureau agents. According to one planter, J. G. Granderson, the Waco Bureau agent was less than vigilant in promoting agricultural interests. W. B. Anderson, a planter in Milam County, testified that he never heard of Circular No. 14 until punished for violating it. Misunderstanding about the circular's meaning and intent was another problem. Bureau officials in Galveston frequently referred field agents to Circular No. 14 in answer to their questions. Some misunderstood it, and others applied it in an ex post facto manner, something Kiddoo strictly prohibited. The subassistant commissioner at Liberty, the local doctor J. Orville Shelby, was a little confused about what exactly the circular mandated. According to Shelby, the order allowed him to punish freedmen who broke their contract with only a fine. He did not believe he could force them to return to the original employer they had contracted with.<sup>9</sup>

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<sup>8</sup> Champ Carter, Sterling, to [J. B. Kiddoo], June 6, 1866, AC, Letters Received, 1866-1867, reel 4; Alex B. Coggeshall, Bastrop, to William Sinclair, A.A.I., July 2, 1866, AC, Letters Received, 1866-1867, reel 4; Albert A. Metzner, Clinton, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 7; Isaac Johnson, La Grange, to Chauncey C. Morse, A.A.A.G., April 2, 1866, AC, Letters Received, 1866-1867, reel 6; Johnathan F. Brown, Anderson, to William H. Sinclair, A.A.G., July 25, 1866, AC, Letters Received, 1866-1867, reel 4. For other reports of better relations, see J. Ernest Goodman, Columbus, to William H. Sinclair, A.A.G., July 31, 1866, Letters Received, 1866-1867, reel 5; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 30, 1866, Letters Received, 1866-1867, reel 4; and Fred Cole, “Texas Career of Thomas Affleck” (Ph. D. diss., Louisiana State University, 1942).

<sup>9</sup> J. W. McConaughy, Wharton, to William H. Sinclair, A.A.G., March 28, 1866, AC, Letters Received, 1866-1867, reel 7; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 14, 1866, Letters Received, 1866-

Richard Cole, already angry that many of his hands had left because of abuse by him, disagreed and claimed that Shelby misunderstood the circular. Cole thought the circular forced freedmen back to the employer they had contracted with. Thus, he wrote Kiddoo to inform him about Shelby. Shelby stood firm, and Kiddoo concurred with him, for it was discovered that Cole had abused some of his hands, which caused Bureau officials to annul his remaining contracts. Although he was vindicated, the job took its toll on Shelby. He found that justice for the freedpeople came with a price, most notably in his time, his money, and his reputation. Before he could find redress, however, Kiddoo relieved him. A frustrated Shelby blamed his removal on a conspiracy by local citizens. But information had surfaced that he had been a surgeon in the Confederacy, which precluded him from taking the required oath. In the spring of 1867 Shelby claimed that the Freedmen's Bureau owed him pay for his service in the agency. Bureau authorities, however, reminded him that he had been appointed as a civilian with no pay.<sup>10</sup>

Bureau agent Robert McClermont, an officer with the 4<sup>th</sup> U.S. Cavalry, enforced the circular vigorously, too vigorously for Kiddoo's tastes. McClermont punished freedmen who violated the order by hanging them by their thumbs, a practice used in the military that entailed

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1867, reel 4; H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., July 12, 1866, AC, Letters Received, 1866-1867, reel 4; Statement of W. B. Anderson, May 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from J. Bates to Henry A. Ellis, A.A.A.G., October 25, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; J. Orville Shelby, Liberty, to J. B. Kiddoo, July 8, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; J. Orville Shelby, Liberty, to J. B. Kiddoo, July 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from Louis H. Jacobs, Millican, to William H. Sinclair, A.A.G., July 15, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

<sup>10</sup> J. Orville Shelby, Liberty, to J. B. Kiddoo, July 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Richard Cole to J. B. Kiddoo, June 26, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, A.A.G., to J. Orville Shelby, Liberty, July 25, 1866, Letters Sent, September 1865-March 1867, reel 1; J. Orville Shelby, Liberty, to J. B. Kiddoo, July 8, 1866, AC, Letters Received, 1866-1867, reel 8; Special Orders No. 98, July 10, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Sinclair, A.A.G., to J. Orville Shelby, Liberty, August 16, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Endorsement of letter from J. Orville Shelby to J. T. Kirkman, A.A.A.G., April 9, 1867, Letters Received, 1866-1867, reel 2.

hanging a man by his thumbs with only the tips of his toes touching the ground. Eventually, they would tire and dangle by their fingers. It was an extremely painful punishment, and to some observers harkened back to the days of slavery. In one case, McClermont, while punishing a freedman in this manner, was heard to have said to the victim, “You son of a B—h this ought to go round your neck.”<sup>11</sup>

McClermont’s predecessor, who witnessed and assisted him in the act, noticed the difficulty the cavalry officer had with tossing the rope around a tree limb. “You do not understand the Texas way of throwing a rope,” observed former civilian agent William H. Farner. In addition to these actions, white citizens also claimed that McClermont and Farner had extorted money from them. The two fined one planter six hundred dollars for enticement and warned him the fine “would be \$2,500 . . . if [he] made any fuss about it.” Made aware of the accusations, McClermont appealed to officials at headquarters to sanction his actions. Kiddoo declined, stating that these actions were completely unsatisfactory for an agent in the Freedmen’s Bureau. “He immediately began overhauling things,” Kiddoo reported to Commissioner Howard in Washington, “and, in candor, acted more like an insane than sane man.” An inspector informed officials about the effect McClermont’s actions had on his subdistrict. “His action had a *fine, very fine*, influence in this section,” the inspector stated. “A man won’t touch another man’s contract now with a ten foot pole.” Nonetheless, McClermont’s tactics undermined the Freedmen’s Bureau’s goals and philosophy, and despite his pleas of ignorance of procedure and his wife’s appeal to the organization’s commissioner in Washington, McClermont was released from the Bureau. Shortly after arriving at Sterling, Lemuel K. Morton, McClermont’s replacement, told his superiors that if he pursued the “same course that my predecessor done I

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<sup>11</sup> Statement of W. B. Anderson to William H. Sinclair, A.A.G., May 30, 1866, AC, Unregistered Letters Received, 1866-1867, reel 17.

would be the man for them [planters], but I can not approve of their mode of doing business.” Consequently, Morton predicted “their friendship will be of short duration.”<sup>12</sup>

McClermont’s actions contributed to claims of abuse and collusion. Some scholars use examples like McClermont, Farner, and others (several other agents like A. P. Delano were also found to have used such practices against freedmen) as examples of oppression. These historians conclude that subassistant commissioners, influenced by a racist society and desire for acceptance by the local white community, replaced slavery with another system of compulsion. Individual cases support these claims, but overall they fall short for two reasons. The paucity of cases or accusations – something the freed population certainly would have brought to Bureau officials’ attention – suggest the practice’s rarity; and second, Bureau men routinely informed superiors of any adverse and detrimental actions by fellow agents. These men took pride in their work and routinely brought “bad apples” to superiors’ attention. A few examples of Bureau agents abusing the freedpeople exist, but far more exist of these men angering, rather than appeasing, the white community.<sup>13</sup>

Furthermore, Bureau men were suspicious of any attempts to endear them to the white community. Albert Evans, the agent at Sherman, met with locals and wrote that they “all are anxious for me to stir the nigger out with a sharp stick.” Evans told them he had found it more

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<sup>12</sup> Lemuel K. Morton, Sterling, to J. B. Kiddoo, September 30, 1866, AC, Letters Received, 1866-1867, reel 7; Statement of W. B. Anderson to William H. Sinclair, A.A.G., May 30, 1866, AC, Unregistered Letters Received, 1866-1867, reel 17; J. B. Kiddoo to O. O. Howard, June 26, 1866, Correspondences, Freedmen’s Bureau Period, M912, Box 4, Howard papers – Bowdoin; Champ Carter, Seguin, to [J. B. Kiddoo], June 7, 1866, SAC, Letters Sent, January 1867-March 1868 and June-September 1868, reel 26; Statement of W. B. Anderson, May 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Robert McClermont to O. O. Howard, August 4, 1866, Correspondences, Freedmen’s Bureau Period, Howard papers – Bowdoin, M91, Box 4; Mrs. McClermont to O. O. Howard, June 12, 1866, Manuscript Volume Folio, M191, Box 7, Howard Papers – Bowdoin; Special Orders No. 81, June 2, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>13</sup> For other accusations of abuse or coercion against laborers who broke contracts, see O. E. Pratt, Austin, to William H. Sinclair, A.A.G., September 4, 1866, SAC, Letters Received, 1866-1867, reel 7; A. P. Delano, Marlin, to [J. B.] Kiddoo, September 21, 1866, SAC, Letters Received, 1866-1867, reel 7; and William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 10, 1866, AC, Letters Received, 1866-1867, reel 8.

difficult to collect “the money for what [the freedperson] has already done” than to make him work. “When I first came here I was almost distressed by the unlimited protestations of friendliness which were heaped upon me,” George C. Abbott told superiors upon his arrival at Hempstead, “but I have since learned that the extra friendliness accorded to me was expected to be returned in an inverse ratio by unfriendliness on my part to the Negroes.” Abbott reiterated that “no amount of ignorance, Rage, or wretchedness should ever bias me to decide unfairly in favor of sleek and well-fed ex-Rebels.” Jacob C. DeGress, after levying a fine, listened to an offer by the same planter to have “honorable Planters or other just minded men” come to his plantation “and determine the amount of wages to be paid.” After reminding the elderly farmer that “he better commence to make reparations for past acts of cruelty,” for he was not long for this earth, DeGress sarcastically responded to the suggestion by stating that the “kind offer will of course be appreciated according to its value.” William Garretson wrote down his expectations about an upcoming inspection tour of his district. “I fear that it will be an unpleasant trip,” he admitted, “from the fact that the more I learn of the original slave owners, the less I feel disposed to believe in their pretended union sentiments.” Bureau agents were aware of attempts by the white community to win favor and garner their help in controlling the former slaves. Most Bureau men neither endeared themselves to the white community nor abused the freedpeople. Thus, in the end, a large majority of agents followed a course in line with those of Evans, Abbott, DeGress, and Garretson rather than McClermont and Farner.<sup>14</sup>

These men of the Bureau cast a skeptical eye toward most claims by planters against their hands. Suspicion guided their policy toward whites. “It is not to be expected,” thought F. D.

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<sup>14</sup> Albert Evans, Sherman, to Henry A. Ellis, A.A.A.G., October 31, 1866, AC, Letters Received, 1866-1867, reel 5; George C. Abbott, Hempstead, to [E. M.] Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Jacob C. DeGress, Houston, to [Maj. Gen. Joseph Anthony Mower, Commander, District of Eastern Texas], November 13, 1865, AC, Letters Received, 1866-1867, reel 5; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 14, 1867, AC, Letters Received, 1866-1867, reel 5.

Inge at Leona, “that the slave owner (who is now the employer of the freedmen) who from time ‘immemorial’ has used the *whip*[,] *lash*[,] and *stick* will give it up *at once, unless* in the *presence* of a *power* that is capable of *enforcing*.” Jacob C. DeGress warned that any SAC awarded and praised by the white community might not be doing his job. “I am abused and cursed by Planters (not to my face I can assure you),” the pugnacious Harris County agent boasted, “and all I have to say is that I am proud to have their ill will.” Many planters complained that Bureau agents “invariably” took the freedmen’s sides in disputes. These men, guided by their experience with the two groups and still viewing white Texans as Rebels who tried to destroy the Union, took the freedpeople’s word more seriously. Even when the former slave was found to be at fault, they tempered their punishment, or as one agent put it, punished them “mild but firm.”<sup>15</sup>

“I have been treated in a very friendly way by the planters but I fear it will not last long,” suspected Lemuel K. Morton in Sterling. “[I]f I would persue [sic] the same course that . . . my predecessor done I would be the man for them but as I can not approve of their mode of doing business I fear their friendship will be of short duration.” Samuel C. Sloan at Richmond skeptically fielded numerous complaints from planters against their hands for contract violations. “In such cases,” he admitted, “I have dealt lightly with them.” Many men of the Bureau took the stance of George C. Abbott regarding disputes. “I believe it only fair play on my part to look out for the Negroe,” Abbott stated, “for I believe the white men fully competent to lookout for themselves.” Of course, white Texans and planters always claimed Bureau agents were overly sympathetic to the freedmen. “There is no law here to [protect] the Rebels,” wrote one white Texan at Prairie Lea to Governor Throckmorton. “The Freed[man] has an abundance.”

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<sup>15</sup> F. D. Inge, Leona, to Colonel, July 30, 1866, AC, Letters Received, 1866-1867, reel 6; Jacob C. DeGress, Houston, to Colonel, December 6, 1866, AC, Letters Received, 1866-1867, reel 5; Arthur H. Edey to J. B. Kiddoo, August 18, 1866, AC, Letters Received, 1866-1867, reel 5; Philip Howard, Meridian, to [E. M.] Gregory, April 30, 1866, AC, Letters Received, 1866-1867, reel 6.



Notwithstanding a few overzealous and sadistic individuals, Bureau men in Texas were faithful to the organization's mission to provide justice for the freedmen and wanted what was best for the former slaves and to improve their lives.<sup>16</sup>

In the meantime, as agents dealt with Circular No. 14, a more pressing problem attracted their attention: uncertainty about the details of contracts. Questions about payment (specie or paper), work hours (sun-up to sundown or a ten-hour system), and other specifics to be listed in each contract flooded their offices throughout the spring and summer of 1866. This stemmed primarily from vagueness in Gregory's policy, which left much for the field agents to decide. This situation led A. H. Mayer to ask, "If any form of contract has been decided upon at your Hd Qrts please send me a copy immediately that I may be able to answer some of the ten thousand questions asked of me in the reference to contracts." In a series of circulars (Nos. 19, 21, 23, and 25) partly based on the recommendations of Bureau inspector William H. Sinclair, Kiddoo attempted to replace the uncertainty with more definite guidelines. Upon a complaint, Bureau agents were authorized to place a lien on a crop. This constituted a claim for first payment of wages owed to hands, "regardless of sales, consignments, rents for lands, or any claims whatsoever." Monthly payment was to be paid in specie, with paper money not to be substituted. Planters were required to pay their hands before shipping their crops. Although freedmen could contract for monthly wages, Kiddoo preferred that Bureau agents dissuade them from doing so. Instead, he wanted his subassistant commissioners to urge hands to contract for a portion of the crop. SACs were to approve all contracts for fairness and conformity with Freedmen's Bureau

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<sup>16</sup> Lemuel K. Morton, Sterling, to J. B. Kiddoo, September 30, 1866, AC, Letters Received, 1866-1867, reel 7; Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., May 31, 1866, AC, Letters Received, 1866-1867, reel 8; George C. Abbott, Hempstead, to [E. M.] Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; W. G. Phillips to J. W. Throckmorton, December 14, 1866, Throckmorton Governor Correspondences. For similar examples of SACs favoring a freedperson compared to a white southerner in a dispute or administering lighter punishment, see Engs, *Freedom's First Generation*, 102.

regulations. Contracts were valid only after an agent approved them, and, when time came to sell the crops, field agents were to issue certificates to planters. This certificate indicated that the freedmen had already received their share of the crop and guaranteed the crop's safe passage. Despite this greater oversight and protection of the freedmen, Kiddoo, nevertheless, prohibited field agents from interfering with the freedpeoples' disposal of their crops, for they had the right to dispose of crops as they wished.<sup>17</sup>

The new regulations helped clarify for some, but others were still confused. Various SACs misconstrued Circular No. 23, which not only required planters to pay the freedmen before the crops were shipped, but also allowed Bureau agents to halt the shipment of products, even if the shipment had already left that agent's district and entered another's. Seizure was to happen only upon complaint, not otherwise, but some field agents overlooked this feature and detained shipments anyway. Many of these problems happened at Millican and the city of Houston, "the general center[s] where the most cotton is stored." Believing that orders had to be "insisted upon" or "we will quickly lose our power and influence," Jacob C. DeGress at Houston and Samuel C. Sloan at Millican halted all shipments without a certificate, even if no complaint was made, which angered some Bureau men in the interior. They resented a fellow agent questioning their decisions and judgment. By halting all shipments, DeGress and Sloan also seriously interfered with "commercial transactions." Not wanting to impede the flow of commerce and realizing many "planters cannot settle until they sell some of their cotton," Kiddoo instructed field agents to detain crops only upon a complaint.<sup>18</sup>

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<sup>17</sup> A. H. Mayer, Liberty, to S. H. Lathrop, A.A.A.G., December 23, 1866, AC, Letters Received, 1866-1867, reel 7; Circular No. 19, August 20, 1866; Circular No. 21, October 1, 1866, Circular No. 23, November 1, 1866, and Circular No. 25, December 21, 1866, AC (all in Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19).

<sup>18</sup> Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., November 5, 1866, Letters Received, 1866-1867, reel 5; A. H. Mayer, Liberty, to William H. Sinclair, Inspector, Galveston, December 31, 1866, AC, Letters

Equally detrimental to the flow of commerce were idleness and destitution. Kiddoo partly created his labor system to reduce what he saw as an increase of the two. In the spring and summer of 1866, Bureau agents described scenes of idle freedmen not seen since immediately following emancipation. Vagrants and insolvents made up a small fraction of the idle. A majority of those who had yet to contract or who were not working were old and infirm. In a market economy they were of little use. Individualism reigned in free labor. Efforts to care for their workers' needs affected planters' profits, and few wanted to invest in the well-being of their former slaves, who at the end of the year might leave. In short, responsibility was to the bottom line, and in the new labor system, each field hand now represented a means to an end and was easily replaced when he was no longer effective. Planters, now absolved from the responsibility to look after workers' welfare, thought more like businessmen and less like "authoritarian fathers," and they generally demonstrated little compassion for those not able to contribute.<sup>19</sup>

To combat idleness and make the freedpeople contract, Kiddoo instructed subordinates to issue rations only in legitimate cases. Able-bodied individuals, especially men, were not to receive rations. This, however, was tempered by circumstances. Gender influenced who received help, for Bureau men distributed rations more readily to single mothers and unmarried women. Nineteenth-century Americans shied away from government-sponsored charity, for it allegedly hindered independence, weakened a person's drive, and led to dependency. In Texas,

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Received, 1866-1867, reel 7; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 4, 1866, AC, Letters Received, 1866-1867, reel 8; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 2, 1866, AC, Letters Received, 1866-1867, reel 8; J. B. Kiddoo to Jacob C. DeGress, Houston, December 1, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

<sup>19</sup> Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1972), 74; J. Thomas May, "The Medical Care of Blacks in Louisiana During the Occupation and Reconstruction, 1862-1868: Its Social and Political Background" (Ph. D. diss., Tulane University, 1972), 169-170; Anne Barber Harris, "The South as Seen by Travelers, 1865-1880" (Ph. D. diss., University of North Carolina, 1971), 15. For other aspects of vagrancy, see W. E. Bughardt DuBois, *The Philadelphia Negro: A Social Study* (New York: Benjamin Bloom, 1899); Nathan Glazer and Daniel Patrick Moynihan, *Beyond the Melting Pot* (Cambridge: M.I.T. Press, 1963); E. Franklin Frazier, *The Negro in the United States* (New York: The MacMillan Company, 1971); and Genovese, *Roll, Jordan, Roll*.

which experienced little devastation and displacement from the war compared to other former Confederate states, there existed little need for a large-scale ration distribution of rations. The Freedmen's Bureau did an adequate job when it did provide rations. Nevertheless, fearing abuse and waste, officials viewed handouts as strictly temporary, something to prevent immediate starvation. The Freedmen's Bureau in Texas officially ended the issuance of rations in 1866 but had to continue them beyond 1866 as crop failures necessitated relief and agents dealt with individual cases. In the end, Bureau men "alleviated problems but did not solve them."<sup>20</sup>

Beyond issuing rations, Bureau agents had several options to deal with destitution. Apprenticing will be examined in further detail in a later chapter. They could also transport destitute individuals back to their homes. A portion of the homeless freedmen came from other southern states, either by choice or by compulsion with their masters during the war. The first Freedmen's Bureau bill authorized SACs to transport individuals wanting to return home at the government's expense. Due to mismanagement and abuse, however, transportation no longer was a viable option to deal with the problem. Bureau officials realized the care of the destitute must be shifted to local and county governments. In early 1866 Kiddoo was hopeful about local officials' willingness to take responsibility for their black poor. In fact, Kiddoo prematurely relayed to Washington that locals had agreed to care for these unfortunates. As the Freedmen's

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<sup>20</sup> Elaine Cutler Everly, "The Freedmen's Bureau in the National Capital" (Ph. D. diss., George Washington University, 1971), 101, 83; J. B. Kiddoo to Generals, January 11, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Robert H. Bremner, *The Public Good: Philanthropy and Welfare in the Civil War Era* (New York: Alfred A. Knopf, 1980), 113-126; Mary Farmer-Kaiser, "'Are they not in some sorts vagrants': Gender and the Efforts of the Freedmen's Bureau to Combat Vagrancy in the Reconstruction South," *Georgia Historical Quarterly* 88 (Spring 2004): 25-49; Mary J. Farmer, "Freewomen and the Freedmen's Bureau: Race, Gender, and Public Policy in the Age of Emancipation" (Ph. D. diss., Bowling Green State University, 2000), 87-90; Robert C. Lieberman, "The Freedmen's Bureau and the Politics of Institutional Structure," *Social Sciences History* 18 (Autumn 1994): 406, 427; Fredrickson, *Black Image*, 178-179; Foner, *Reconstruction*, 152; Olds, "Freedmen's Bureau as a Social Agency," 2. In Texas, destitution was more a problem for those Bureau agents in cities, as freedmen congregated there for help, see E. M. Gregory to B. J. Arnold, Brenham, [November 1865], AC, Letters Sent, September 1865-March 1967, reel, 1; J. B. Bostwick, Columbia, to [Chauncey C.] Morse, A.A.A.G., December 21, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; and Byron Porter, Houston, to E. M. Gregory, January 5, 1866, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29.

Bureau attempted to transfer the care for black indigents to local authorities, the first real struggle between subassistant commissioners and local and state officials began.<sup>21</sup>

Bureau agents reminded county officials that state law held them accountable for their county's black poor. They insisted county governments administer aid without reference to color. In some cases, the counties did. J. D. O'Connell reported that officials administered relief equally and to the best of their ability in Harris County. But this was definitely the exception, for many county officials resisted giving relief to the freedmen. They claimed either insufficient funds or argued that black destitution fell to the Freedmen's Bureau. Kiddoo, wanting to clarify who exactly was responsible for the poor, issued Circular No. 16. In it, he reiterated that state law vested responsibility for "all paupers and indigent freedmen to the chief justice of the respective counties."<sup>22</sup>

As Bureau officials steeled their resolve, local officials did as well. This tug-of-war would last throughout the Freedmen's Bureau's existence in Texas, and caught in the middle were Bureau agents and the freed community. The feud at Marshall, Harrison County, in early 1867 was fairly typical. A doctor and native New Yorker, Charles F. Rand persistently informed county judge O. Hendrick about his responsibilities toward black indigents. Hendrick, annoyed and offended by the subassistant commissioner's tone, claimed the county lacked the means to

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<sup>21</sup> Circular No. 5, May 30, 1865, M742C, Circulars Issued, May 15, 1865-October 30, 1869, reel 7; Circular No. 9, July 6, 1865, M742C, Circulars Issued, May 15, 1865-October 30, 1869, reel 7; O. O. Howard to Edwin Stanton, Secretary of War, September 7, 1865, M742C, Letters Sent, May 16-December 30, 1865, reel 1; Circular No. 8, March 14, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, reel 19; J. B. Kiddoo to Generals, January 11, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

<sup>22</sup> Circular No. 16, June 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. D. O'Connell, Houston, to [Headquarters], June 22, 1867, AC, Letters Received, 1866-1867, reel 7. For other instances of county officials' resisting caring for black indigents, see John E. George to Maj. Gen. [Charles] Griffin, May 8, 1867, AC, Letters Received, 1866-1867, reel 5; James Lowrie, Jasper, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; A. S. Gardner to J. W. Throckmorton, April 3, 1867, AC, Letters Received, 1866-1867, reel 9; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 2, 1866, AC, Letters Received, 1866-1867, reel 4; and J. W. Throckmorton to Maj. Gen. Charles Griffin, Commander, District of Texas, April 10, 1867, AC, Letters Received, 1866-1867, reel 9.

support them. He also turned to Governor J. W. Throckmorton for help. “I forward you this [Rand’s letter] to show in what esteem he holds the civil authorities,” stated Hendrick. The governor appealed to Charles Griffin, commander of the District of Texas, for redress. Throckmorton claimed that state and local officials were doing all that could be done. He even questioned the need for relief and called on Bureau officials to use congressional appropriation to care for the poor.<sup>23</sup>

When county officials refused to care for the destitute, Bureau agents had to provide for them. For example, J. W. McConaughey in Wharton County supported three paupers in the spring of 1866. They were “left with me, and humanity demanded” they be cared for. When one freedman died, McConaughey had him buried and paid for it out of his own pocket. “How am I to get pay for keeping these and for the funeral expenses of [the one] who died?,” the agent wanted to know. The SAC further added,

To apply to the county court for compensation will meet with opposition as the opinion of the local advisers is that it is the duty of the Freedmen’s Bureau to provide for such cases. If I am to look to the courts I would like to be furnished with a copy of the act organizing the Bureau . . . and subsequent orders, so that I can prosecute the claim intelligibly. If the government will pay it I would like to be advised that I may present my claim and get the money.<sup>24</sup>

As Bureau officials and state authorities dueled about jurisdiction, Bureau men took matters into their own hands. For them, there were few options but to act.

Little did Bureau agents realize that their problems with state officials had just begun. As

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<sup>23</sup> O. Hendrick to [J. W.] Throckmorton, March 25, 1867, Incoming Correspondence, Governor J. W. Throckmorton Records (RG 301), Archives Division – Texas State Library, Austin, Texas (hereafter cited as Governor Correspondences); O. Hendrick to [J. W.] Throckmorton, March 15, 1867, Throckmorton Governor Correspondences; Charles F. Rand, Marshall, to O. Hendrick, March 31, 1867, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to Maj. Gen. Charles Griffin, Commander, District of Texas, March 4, 1867, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to Maj. Gen. Charles Griffin, Commander, District of Texas, April 10, 1867, AC, Letters Received, 1866-1867, reel 9.

<sup>24</sup> J. W. McConaughey, Wharton, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 7.

the legislature “met” benchmarks set down by President Andrew Johnson, he declared Reconstruction complete. White Texans quickly moved to reassert greater autonomy over their own affairs. The recently elected governor, Throckmorton, a Unionist during the war but a man imbued with racial beliefs similar to those of the most ardent fire-eating Democrat, opposed federal intervention in civil affairs after the war. An adherent of Johnson’s view of Reconstruction and critic of the Radical Republicans, Throckmorton, who one Union general called a disrupting force, interpreted the president’s proclamation to mean that the military had to relinquish control of civil matters to local and state officials. The governor believed that Texas’ completion of Johnson’s Reconstruction plan subordinated federal organizations to state control in civil matters. Of particular concern was the resented Freedmen’s Bureau, which he sarcastically called “one of the grand Institutions of the country.” Throckmorton announced that he would not “countenance any wrong or outrage” arising from the organization’s activities. He construed “wrongs” and “outrages” to be any actions by agents other than caring for black indigents. Throckmorton’s belligerent stance not only caused conflict, but also emboldened local officials to resist.<sup>25</sup>

With the governor’s backing, local officials insisted on greater control over county matters, which placed them at odds with Bureau agents, who believed their authority was beyond state interference. Agent Philip Howard clashed with Bosque County local judicial officials. Howard thought a freed boy unjustly held for the attempted rape of a young, white girl. With Kiddoo’s approval, Howard ordered the defendant released to his custody. County officials accused the Freedmen’s Bureau of “always appear[ing] to take great delight in siding with the

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<sup>25</sup> J. W. Throckmorton to J. B. Kiddoo, August 30, 1866, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to Louis T. Wigfall, December 30, 1866, James W. Throckmorton Papers, Letterbook, 1866-1867, Center for American History, Austin, Texas (hereafter cited as Throckmorton papers – Center for American History); Philip H. Sheridan, *Personal Memoirs of Philip Sheridan* (London: Chatto and Windus Peccadilly, 1888), 232.

negro no matter what the circumstances.” Incensed by this “prejudicial” course, they appealed to Throckmorton, who unsuccessfully appealed to Kiddoo to have the Bureau man fired. SAC Jacob C. DeGress drew the ire of Harris County officials. DeGress suspected a freedman would be “delivered [back] safely at the county jail either dead or alive.” To protect the man, he forcibly prevented his re-arrest. In Matagorda, Charles F. Rand knew a freedwoman had been unjustly persecuted by local law enforcement. Assisted by the military, he removed her from local custody. Relations were so strained in Marshall that the Bureau agent, Isaac M. Beebe, arrested the sheriff, who refused to recognize the legitimacy of the agent’s orders.<sup>26</sup>

Bureau officials reminded their subordinates that “you must not pay any attention to any action they [local officials] may take to interfere with you and in the discharge of your duties.” These words had meaning at Galveston headquarters, but for the many men in the field, they were of little consolation. When written appeals for redress – both to state executives and Bureau officials – proved ineffective, local officials resorted to more forceful maneuvers, i.e., attempted arrest and detainment of subassistant commissioners. Crockett officials indicted Stanton Weaver for interfering with a freedman’s arrest. Bryon Porter similarly informed superiors that the Harris County sheriff issued an arrest warrant for his (the agent’s) arrest. Backed by the local post commander, however, Porter ignored the writ. Because of his actions in preventing the re-arrest of a freedman who had escaped local custody, Jacob C. DeGress also feared arrest if not for the local garrison’s presence. A few unlucky men did not have troops nearby, thus making it easier for local authorities to detain them when they “interfered.”

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<sup>26</sup> Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., December 14, 1866, AC, Letters Received, 1866-1867, reel 5; Isaac M. Beebe, Marshall, to William H. Sinclair, A.A.G., June 15, 1866, Letters Received, 1866-1867, reel 4; B. Shropshire, Judge of the 1<sup>st</sup> Judicial District, to [J. W. Throckmorton], November 5, 1866, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to J. B. Kiddoo, August 30, 1866, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to [J. B. Kiddoo], December 22, 1866, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to J. B. Kiddoo, August 30, 1866, AC, Letters Received, 1866-1867, reel 9.



Generally, a simple “reminder” that a Bureau agent’s power rested in federal authority and was not subject to state oversight defused the situation. But on rare occasions that reminder had to come armed with bayonets.<sup>27</sup>

State officials caused most of the confrontations with the Freedmen’s Bureau. They refused to abide by state or federal law or resented its presence. In a few instances, however, disputes arose not from belligerent civil officers, but rather belligerent Bureau agents. The cases of William Longworth and Samuel A. Craig are instructive. These two agents had great difficulties – for differing reasons – with local officials. Although born in New York, Longworth was considered by white Texans to be a scalawag, since he lived in the state for many years prior to the war. He experienced much animosity and abuse because of his Unionism during the war. In fact, behind “[John] Hancock and [A. J.] Hamilton,” he claimed to be the most persecuted man in west Texas. His Unionism and persecution at the hands of Rebels probably helped secure appointments as chief justice of Wilson County in Governor A. J. Hamilton’s administration and as a subassistant commissioner under E. M. Gregory. Despite his travails during the war and his subdistrict’s size, Longworth exuded confidence in his abilities, bordering on hubris. “I think I am equal to the extent of the whole territory asked for,” he boldly wrote, “and am in the bosom of almost every individual within the same.”<sup>28</sup>

It did not take long before Longworth would test the people’s love for him. He

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<sup>27</sup> Endorsement of letter from H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., June 2, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Stanton Weaver, Crockett, to Judge Cooper, February 28, 1867, AC, Unregistered Letters Received, 1865-1866, reel 17; Byron Porter, Houston, to Lemuel K. Morton, A.A.A.G., September 12, 1866, AC, Letters Received, 1866-1867, reel 7; Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., December 14, 1866, AC, Letters Received, 1866-1867, reel 5.

<sup>28</sup> William Longworth to Secretary of the Freedmen’s Bureau for the State of Texas, June 30, 1865, AC, Letters Received, September 1865-March 1867, reel 7; William Longworth, Sutherland Springs, to [E. M. Gregory], January 15, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Tyler, ed., *New Handbook of Texas*, 3:458-459; Special Orders No. 18, December 28, 1865, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William Longworth to A. J. Hamilton, October 9, 1865, Hamilton Governor Correspondences; William Longworth to A. J. Hamilton, October 10, 1865, Hamilton Governor Correspondences.

immediately got into problems with citizens about apprenticeship. An established practice prior to the war to alleviate suffering, the practice was subject to abuse after the war. As local officials used it to procure labor for planters, the practice could easily transition into what historians Leon Litwack called “legalized kidnapping” or what Mary Farmer-Kaiser called “cruel injustice.” As chief justice as well as SAC, Longworth learned of abuse in the many complaints by black parents that their children had been seized by local courts and apprenticed out to former masters. Moved by these pleas, Longworth believed the negatives far outweighed any benefits apprenticing might have and viewed the practice as slavery in a new form. “The unity of families must be maintained,” Longworth stated. As a result, he refused to apprentice freed children and returned those already apprenticed to their parents or guardians. For example, Longworth ordered James L. Dial to return two freed children apprenticed to him. It was a case Longworth wanted to use to make a point. Rather than order the return of the two children, the Bureau agent held a hearing with all parties present and fined Dial ninety dollars. He charged Dial with kidnapping and false imprisonment and had him detained. The incensed defendant believed Longworth had disgraced “and continues to disgrace” his position as a federal officer and petitioned Kiddoo against this “tyrannical and oppressive course.” Dial, however, found little support at Bureau headquarters.<sup>29</sup>

The story might have ended there if not for Longworth’s confrontation with William C. Wiseman, judge of Guadalupe County. Believing that the agent had exceeded his jurisdiction

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<sup>29</sup> Litwack, *Been in the Storm So Long*, 237; Mary Farmer-Kaiser, “With a Weight of Circumstances Like Millstones About their Necks: Freedwomen, Federal Relief, and the Benevolent Guardianship of the Freedmen’s Bureau,” *Virginia Magazine of History and Biography* 115 (2007): 431; William Longworth, Sutherland Springs, to [E. M. Gregory], March 9, 1866, Letters Received, 1866-1867, reel 6; James L. Dial to [J. B.] Kiddoo, June 6, 1866, AC, Letters Received, 1866-1867, reel 5; William H. Sinclair, A.A.G., to William Longworth, Sutherland Springs, March 23, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; James L. Dial to E. M. Gregory, February 10, 1866, AC, Letters Received, 1866-1867, reel 5; R. H. Brahan to [Headquarters], May 8, 1866, AC, Letters Received, 1866-1867, reel 6; William H. Sinclair, A.A.G., to James L. Dial, March 19, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

and violated state law, Wiseman demanded the release of Dial. Wiseman not only issued a writ of *habeas corpus* in order to retrieve the two freed children, but also ordered Longworth's arrest for breaking the apprentice contract. "I succeeded in defeating it [the writ]," the Bureau agent gleefully relayed to Bureau officials. "I have had a rather sweet time of it, maintaining the jurisdiction of the Bureau."<sup>30</sup>

Not content, Longworth arrested Dial again. After being freed on bail, Dial sued the Bureau agent for false imprisonment, claiming twenty-thousand-dollars in punitive damages. He once again called for Longworth's removal, telling Bureau officials anyone but that man "would be a God send." The white citizens in the community also joined Dial in his fight against the Bureau agent. They wrote letters to Kiddoo and the governor decrying Longworth's "arbitrary, vindictive, and unjust" ways. S. J. Pickett, a woman who previously had a run-in with Longworth, blasted the carpetbagger for his "annoying and contemptuous course towards the citizens," most of whom were "socially and intellectually [superior]." The attacks, however, only confirmed to Longworth the justness of his course. "Where is the man, from Abraham Lincoln, down to myself that has not been hardened" by people like these, he wrote, for with these people "Christ himself would find persecutors and slanderors [sic]. . . ."<sup>31</sup>

Happy to pile on, Judge Wiseman sent a letter to Longworth asking him to cease interfering with the county court's operations regarding apprenticeship. He informed the Bureau

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<sup>30</sup> William Longworth, Sutherland Springs, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 6; William Longworth, Sutherland Springs, to William H. Sinclair, A.A.G., April 25, 1866, AC, Letters Received, 1866-1867, reel 6; [William C.] Wiseman to [William] Longworth, Seguin, May 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, A.A.G., to William Longworth, Sutherland Springs, May 2, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

<sup>31</sup> James L. Dial to John Ireland, February 27, 1866, Hamilton papers; [Citizens of Bexar, Guadalupe, and Wilson counties] to [J. B. Kiddoo], April 30, 1866, AC, Letters Received, 1866-1867, reel 6; S. J. Pickett to A. J. Hamilton, [January 1866], Hamilton Governor Correspondences; William Longworth, Seguin, to [William H. Sinclair, A.A.G.], May 27, 1866, AC, Letters Received, 1866-1867, reel 6; Samuel Gilmore to William H. Sinclair, A.A.G., May 18, 1866, AC, Letters Received, 1866-1867, reel 5; S. Wright to Colonel Sherwood Neil, [1866], AC, Letters Received, 1866-1867, reel 9.

man that he would be charged with kidnapping if there were any more problems. Wiseman continued by stating that any further difficulties between the court and the SAC would be solely the fault of Longworth. Wiseman ended with a terse warning: “A word to the wise is sufficient.” Not one to be cowed, Longworth responded in kind. “[I will not] tamper with the majesty of the laws of the United States, or the office I fill as to comply with your preemptory command.”<sup>32</sup>

Although Longworth thought his course to be sound, officials at Bureau headquarters in Galveston began to wonder. Longworth received a letter enumerating the many complaints about his conduct. Admitting only timidity in fining whites to the maximum and “doing a fraction of what might be done towards the end for which the Bureau was established,” Longworth dismissed these charges as unfounded and malicious attempts to besmirch him. He called these indictments “false, absolutely and unqualifiedly false” and “transparent.” For having to answer them, Longworth chided Kiddoo and his staff for wasting the Freedmen’s Bureau’s already scarce paper. If there ever was any doubt to the justness of his cause, he continued, these critics, particularly Judge Wiseman, were the very men “I was sent here to counteract and keep in check,” and asked for a court martial to clear his name.<sup>33</sup>

Kiddoo assured his subordinate that a court martial was unnecessary. Nevertheless, Longworth expressed his disappointment at not being able to clear his name and lectured Kiddoo on how such an inquiry would embarrass those, both in and out of the Bureau, who doubted him. And doubt was exactly what many at headquarters felt toward him. Officials at Galveston had reservations about Longworth’s pleas of innocence and thought more than a few of the

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<sup>32</sup> William Longworth, Seguin, to [Headquarters], May 25, 1866, AC, Letters Received, 1866-1867, reel 6; William Longworth, Seguin, to W. C. Wiseman, May 21, 1866, AC, Letters Received, 1866-1867, reel 6.

<sup>33</sup> William Longworth, Seguin, to William H. Sinclair, A.A.G., June 25, 1866, AC, Letters Received, 1866-1867, reel 6; William Longworth, Seguin, to William H. Sinclair, A.A.G., May 30, 1866, AC, Letters Received, 1866-1867, reel 6.

complaints to be true. Wanting to know for certain, Kiddoo dispatched William H. Sinclair, the Bureau's inspector in the state, to get to the bottom of the matter. But in a surprise move Kiddoo decided not to wait for the inspector's report. The assistant commissioner had already made up his mind about this Bureau agent. Whether due to his "unnecessary" actions against the white citizens in his district or his generally abrasive and insulting manner toward the staff at headquarters, Longworth was relieved and replaced by James B. Moore, an officer in a colored regiment. (The official explanation for Longworth's removal was that the assistant commissioner desired to replace civilian agents with army officers, but most certainly, the agent's actions influenced Kiddoo to remove him).<sup>34</sup>

What Sinclair found confirmed what many white citizens had already claimed and what Bureau officials at Galveston had suspected: Longworth caused much unnecessary strife. The report concluded that Longworth, at times, had exceeded his authority, had engaged in arbitrary justice, and had threatened the agricultural interests in his subdistrict. In fact, Sinclair recommended that Longworth be turned over to the civil authorities to answer for his actions. Moreover, while investigating the situation left by Longworth, Sinclair also observed Moore and found his actions little better. He stated that Moore lacked principles, engaged in vice, drank too much, and embezzled the agency's funds – charges that Longworth felt obliged to corroborate. Any one of these charges would have been enough for dismissal. But collectively they sealed Moore's fate. After only a few months on the job, Kiddoo relieved Moore, calling him a "disgrace" to the United States Army, and ordered his arrest. Kiddoo's actions toward these two agents exemplified his vigorous policy not to countenance any "immoralities, corruption,

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<sup>34</sup> William H. Sinclair, A.A.G., to William Longworth, Seguin, June 9, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; William Longworth, Seguin, to J. B. Kiddoo, June 21, 1866, Letters Received, 1866-1867, reel 6; William H. Sinclair, A.A.G., to William Longworth, Seguin, July 27, 1866, Letters Sent, September 1865-March 1867, reel 1; Special Orders No. 95, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

neglected duty, and incapacity” in Bureau personnel in Texas.<sup>35</sup>

Agent Samuel A. Craig had a similar yet different experience. Appointed in early spring 1866, Craig got into a dispute a few months later with the pro-southern editor of the *Southern Banner*, D. L. McGary. A former Confederate and ardent Democrat, McGary hated the Freedmen’s Bureau. He used his newspaper as a sounding board against it and its agents. Within his “Red Hot Democratic Journal,” he mocked the official name of the organization, questioning its reason for being in Brenham, and editorialized about the curriculum in its schools. McGary claimed Bureau teachers instructed their pupils to spell the state’s name “Taxes,” instead of Texas, which mocked the federal government’s insistence on collecting back taxes from the war. He also personally attacked Craig. He looks “like a half way cross between a peacock and a jay bird,” Craig remembered being described as. Bureau officials in Galveston told Craig to warn the newspaper man that his words had consequences and, if “untrue and calculated to do injury, will subject [him] to official action.”<sup>36</sup>

Craig took the editor’s remarks as nothing more than a mere nuisance and dismissed them. But McGary persisted in his attacks and accused the Freedmen’s Bureau of misleading and swindling the freedmen. In fact, when Craig showed him the letter from Bureau

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<sup>35</sup> Henry A. Ellis, A.A.A.G., to Maj. Gen. Philip Sheridan, Commander, Department of the Gulf, November 10, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; O. O. Howard to General, February 23, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, Inspector, to Henry Ellis, A.A.A.G., October 7, 1866, AC, Letters Received, 1866-1867, reel 5; Carpenter, *Sword and Oliver Branch*, 151; William Longworth to Henry A. Ellis, A.A.A.G., November 12, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 113, September 9, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 126, October 24, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 134, November 9, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>36</sup> Edwin Bohne, “The History of the *Brenham Banner Press*” (Master’s Thesis, Sam Houston State University, 1950), 2; Craig, “Memoirs,” 81; Special Orders No. 69, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Sinclair, A.A.G., to Samuel A. Craig, Brenham, July 19, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Tyler, ed., *New Handbook of Texas*, 4:401.

headquarters and informed him that his words had consequences, McGary responded with, “Well, what are you going to do about it?” Kiddoo, believing he had impugned the Bureau’s integrity, ordered Craig to arrest and fine McGary for “persistent abuse [and] libelous and false” assertions “calculated to do injury.” Craig fined the man two hundred dollars. Believing this was a negotiation, however, the editor offered to pay one hundred dollars, which the Bureau agent refused. The editor then asked if he could have a little more time to get all the money, which Craig granted. Instead of raising the money, however, McGary used the time to appeal to the post commander at Seguin, Captain George W. Smith. Swayed by this appeal, Captain Smith informed the Bureau agent that he was taking charge and referred the case to military officials. Craig adamantly refused to yield jurisdiction to the military, which caused Captain Smith to refuse any assistance to the Bureau agent to arrest the editor. Emboldened by this dispute and Craig’s apparent impotence, McGary refused to pay the fine. After the SAC referred the matter to the military and his Bureau superiors, military officials sent the Bureau agent a detail of soldiers. Kiddoo also warned his field officer not to back down. Reading between the lines of Kiddo’s words, Craig arrested the delinquent editor and placed him in the county jail. For his action, the *Galveston Tri Weekly News* awarded Craig with the distinction of being “perhaps the most . . . atrocious and unmitigated [despot]” in the Lone Star State.<sup>37</sup>

McGary’s stance made him a hero within the white community, with many white locals daily visiting the new celebrity in jail. On several occasions, guards even allowed him brief

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<sup>37</sup> Craig, “Memoirs,” 81; William H. Sinclair, A.A.G., to Samuel A. Craig, Brenham, August 8, 1866, Letters Sent, September 1865-March 1867, reel 1; Endorsement of letter from Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., July 16, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; *Galveston Tri Weekly News*, September 7, 1866; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 12, 1866, AC, Letters Received, 1866-1867, reel 4; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 4; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 21, 1866, AC, Letters Received, 1866-1867, reel 4; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 27, 1866, AC, Letters Received, 1866-1867, reel 4; J. B. Kiddoo to Samuel A. Craig, Brenham, August 14, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; J. B. Kiddoo to Brvt. Gen. Horatio G. Wright, Commander, District of Texas, July 21, 1866, Endorsements Sent, April 1866-September 1867, reel 2.

stints out of his cell to parade defiantly outside the jailhouse. Furthermore, McGary continued to write editorials from jail. “Captain Craig, the ‘Booro man’ hath an itching palm,” he wrote, “he refused to take greenbacks, but demands gold coin in payment of fines.” All this incensed Craig, who again appealed to superiors for guidance. Kiddoo once again pushed his agent for stern action. But Craig feared possible violence, as many threats were made against his life. Despite this, the Bureau agent arrested the jailer and deputy and decided to guard the three prisoners personally.<sup>38</sup>

Meanwhile, Governor Throckmorton, after many white citizens appealed to him for help, soon got involved in the matter. “I intend to demand Craig for [this] matter and have him turned over,” he wrote to a friend. The governor protested to Washington officials, including President Andrew Johnson, who pressured Commissioner Howard. After a myriad of letters and telegraphs, in which the president informed Kiddoo that Craig – and to a large extent the assistant commissioner himself – had overstepped their jurisdiction by arresting the editor, Kiddoo ordered Craig to release McGary in early September 1866. Throckmorton had already called for the Bureau agent to be punished as “he deserves.” Kiddoo defended his subordinate’s actions by stating if a subassistant commissioner cannot protect himself against such “virulent and vulgar abuse as was heaped upon” him, then he has “no clearly defined powers.” It soon became obvious that the affair damaged Craig’s relationship with the white community beyond any reasonable repair and only encouraged McGary to increase his vitriol. In fact, upon his release, the editor did not miss the opportunity to get in the last word. “The Bureau’s jurisdiction is confined to refugees, freedmen, and abandoned lands,” McGary pointed out. “Under which

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<sup>38</sup> Craig, “Memoirs,” 81; J. B. Kiddoo to Samuel A. Craig, Brenham, August 30, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 12, 1866, Letters Received, 1866-1867, reel 4; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., August 23, 1866, Letters Received, 1866-1867, reel 4.



one of these headings, we wonder, do we come? We are not a refugee – we are not a freedman; perhaps we may be abandoned lands.” With this, Kiddoo replaced Craig and reassigned him to Seguin, a place not any more welcoming than Brenham.<sup>39</sup>

Craig entered an already tense situation as the problems between white residents and former agent Longworth were still unfolding. Longworth, now a private citizen and smarting after his removal, told Bureau officials he fully expected – “it is inevitable” – to have to answer to a “rebel jury” for his actions when he was subassistant commissioner. Never one to miss an opportunity for self-congratulation, however, he notified Kiddoo that the freedmen “can scarcely realize the fact that I am out of office” and “will never give confidence to any one again, not even Capt. Craig.” Despite belittling Craig, Longworth, nonetheless, appealed to him for protection, especially after Guadalupe County (Seguin) officials arrested the former agent for “illegal” acts committed during his time with the Freedmen’s Bureau. Kiddoo ordered Craig to secure Longworth’s release and seize all papers relating to the former agent’s arrest. Although some at Galveston headquarters believed he deserved his current fate – partly for his antagonistic actions and partly for his irascible attitude, which greatly irritated them – Longworth still had acted as an agent of the United States government and his arrest threatened Bureau authority. In short, the actions of the local authorities could not be allowed to stand, for the ramifications

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<sup>39</sup> J. W. Throckmorton to Charles R. Breedlove, December 21, 1866, Throckmorton papers – Center for American History; J. W. Throckmorton to [J. B.] Kiddoo, September 18, 1866, AC, Letters Received, 1866-1867, reel 9; J. B. Kiddoo to J. W. Throckmorton, September 13, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Ernest Wallace, *Texas in Turmoil: The Saga of Texas, 1849-1875* (Austin: Steck-Vaughn Company, 1965), 158; Telegram from Samuel A. Craig, Seguin, to William H. Sinclair, A.A.G., August 15, 1866, AC, Letters Received, 1866-1867, reel 4; William H. Sinclair, A.A.G., to Samuel A. Craig, Brenham, September 2, 1866, Letters Sent, September 1865-March 1867, reel 1; J. W. Throckmorton to J. B. Kiddoo, August 20, 1866, AC, Letters Received, 1866-1867, reel 9; Telegram from J. W. Throckmorton to O. O. Howard, August 22, 1866, M752C, Letters Received, March-May 1866, reel 30; J. B. Kiddoo to O. O. Howard, September 17, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Telegram from O. O. Howard to J. B. Kiddoo, August 29, 1866, AC, Letters Received, 1866-1867, reel 6; O. O. Howard to J. B. Kiddoo, August 23, 1866, M742C, Letters Sent, January 1-December 1866, reel 2; Special Orders No. 113, September 19, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

would be detrimental to all other Bureau agents.<sup>40</sup>

Craig, accompanied by some soldiers, freed Longworth from jail. He also went to the county clerk's office to secure all papers and cancel all bonds relating to the arrest. According to the county clerk, Craig forcefully "rifled" through the office looking for all papers dealing with Longworth, some of which happened to be locked away in the clerk's desk. At that moment, another local official arrived and threatened the clerk with arrest if he assisted the Bureau man by unlocking the desk. Craig, not taking this lightly, had the clerk arrested and threatened him with a military trial in San Antonio. The clerk immediately produced the keys, and Craig "abstracted" the records relating to Longworth's arrest and burned them. The Bureau agent later comically compared the whole event to a child resisting medicine and noted how the "children" had "succumbed," but only after he had administered the medicine with "a wholesome dash of brown sugar [the military force]." He laughingly concluded about the administered medicine, "Chuck a cha lunk a cha lunk . . . ."<sup>41</sup>

His stern course drew praise from Kiddoo and enmity from civil officials. The district judge for the area, John Ireland, a former Confederate, was livid with the Bureau man's actions and wanted to "make short work of the Bureau." Ireland issued a warrant for Craig's arrest, but the sheriff, who the agent had a "semi-friendly" relationship with, feared the soldiers still in the county and refused to arrest him. In fact, Craig informed the law enforcer that "I had ten men

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<sup>40</sup> William Longworth to [J. B.] Kiddoo, November 12, 1866, AC, Letters Received, 1866-1867, reel 6; Henry A. Ellis, A.A.A.G, to William Longworth, September 19, 1866, Letters Sent, September 1865-March 1867, reel 1; Endorsement of letter from William Longworth to J. B. Kiddoo, September 17, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; J. B. Kiddoo to William Longworth, September 21, 1866, Letters Sent, September 1865-March 1867, reel 1; Henry A. Ellis, A.A.A.G., to Samuel A. Craig, Seguin, September 28, 1866, Letters Sent, September 1865-March 1867, reel 1.

<sup>41</sup> W. Goodrich to J. W. Throckmorton, October 8, 1866, Throckmorton Governor Correspondences; Samuel A. Craig, Seguin, to William H. Sinclair, A.A.G., October 21, 1866, AC, Letters Received, 1866-1867, reel 4; George C. Potwin to Brvt. Maj. Gen. Samuel P. Heintzelman, Commander, District of Texas, September 29, 1866, AC, Letters Received, 1866-1867, reel 7; Samuel A. Craig, Seguin, to Henry A. Ellis, A.A.A.G., October 8, 1866, AC, Letters Received, 1866-1867, reel 4; J. W. Throckmorton to J. B. Kiddoo, October 13, 1866, AC, Letters Received, 1866-1867, reel 9.

each armed with a 16 shot rifle [and] with plenty of provisions to withstand a siege.” He warned the sheriff that he “did not propose to be arrested, and would fight and kill, if any attempt were made.” By early 1867, however, the soldiers had left the county and Ireland once again moved against Craig. It was rumored that Ireland saw the agent on the street and yelled out, “What, isn’t that God damn yankee-thief arrested yet!” Craig recalled later that the sheriff arrived at a pool hall where he was playing. He knew the reason for the sheriff’s arrival. “I slowly with my cue in hand, backed toward the door and found it locked,” Craig later wrote. “The sheriff came over near as tho[ugh] watching the game . . . Soon he took out the warrant and commenced to read it to me.” The Bureau agent quickly realized resistance was futile. Six men had arrived to help the sheriff with the arrest, he added, “all were loaded [with] six, six shooters to my one, it was no use to resist.” Military officials ordered the detail back to Guadalupe County, and they released the imprisoned agent. Although Craig was freed, the whole affair had taken its toll on him. Events at both Brenham and Seguin had tested his will and tried his patience. He also lamented what he saw as a Rebel victory in the state with the election of Throckmorton’s government and yearned for the peace and quiet of home back in Pennsylvania. “Like a little boy who stands to one side with a finger in his mouth and a tear in his eye --- Oh, say, fellers, *I want to go home,*” Craig stated to superiors. He received a discharge from the Bureau and returned north.<sup>42</sup>

#### The experiences of Charles F. Rand, William Longworth, and Samuel A. Craig

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<sup>42</sup> James B. Moore, Seguin, to Colonel, August 6, 1866, AC, Letters Received, 1866-1867, reel 7; Craig, “Memoirs,” 89-91; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., May 29, 1867, AC, Letters Received, 1866-1867, reel 7; Samuel A. Craig, Seguin, to William H. Sinclair, A.A.G., October 21, 1866, AC, Letters Received, 1866-1867, reel 4; Tyler, ed., *New Handbook of Texas*, 3:867; Samuel A. Craig, Seguin, to Henry A. Ellis, A.A.G., December 6, 8, and 11, 1866, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from T. S. Leason to J. B. Kiddoo, December 21, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Special Orders No. 148, December 14, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 154, December 25, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

underscore the general conflicts between civil officers and subassistant commissioners. Rand's problems stemmed from derelict officials, not from any aggressive actions on his part. His insistence on holding them accountable for the county's poor was justified and proper. His case typifies many other similar frays with local officials: agent insists local authorities treat freedpeople the same as whites; local authorities will not; both Bureau agent and officials dig in their heels; and dispute intensifies. The point, however, is that the dispute developed for no reason other than Rand's insistence that local authorities uphold state and federal law, something every Bureau employee, from the commissioner in Washington, D.C., down to the lowliest clerk in Galveston, had sworn to do.

Longworth's experience shows how a zealous, committed man can blur the line between sound and unsound, competent and incompetent. It also shows how an agent could go beyond his duty to become his own worst enemy, much to the chagrin of his superiors, his successors, and the freedmen. Certainly Longworth desired justice for the former slaves, but his vengeful approach against the white community not only reverberated back on him but also those that followed him. Longworth could not see – or maybe he could and did not care – that his actions had unintended consequences. His commitment to the freedpeople did not deter him from his controversial actions. Neither did it excuse him from acting in an unwise, unsound, and generally hostile manner. Being a subassistant commissioner demanded patience, tact, and common sense, reinforced with fortitude and presence. But it also demanded the ability to know when to act and, most importantly, when not to act. Enough instances exist of Bureau agents being able to differentiate between benign slights by the white community and those actions and words meant to undermine their power and credibility. Few agents, no matter how committed to the freedmen and Union cause, used their positions in vengeful purposes. In short, Bureau

officials deemed it “desirable to have a discreet [agent] . . . who can do justice to both parties [because] any other will only make mischief.” Unfortunately, Longworth proved unable to distinguish between the two. His unwise course unfortunately hurt the freedmen, unnecessarily antagonized the white community, and needlessly made his successor’s task more difficult.<sup>43</sup>

Craig, on the other hand, knew how to pick his battles and took a more prudent course, a characteristic that prompted Kiddoo to call him “a good and efficient officer.” Nevertheless, he still experienced resistance from local officials. In his dealings with McGary, Craig did not want to act against the editor. He realized the man’s editorials, despite their venomous tone, to be nothing more than the words of a frustrated and defeated man and represented little more than an annoyance. Thus, he hesitated to act against McGary, not because he lacked fortitude, but because the Bureau agent realized such a course was really not worth it. Craig decided that his mandate was to protect the freedpeople, not censor newspapers. In fact, Craig did not move against the editor until forced to do so by Kiddoo, and later that summer, after Commissioner Howard and President Andrew Johnson heard about the editor’s arrest and punishment, Kiddoo was personally ordered by his superiors to “settle the difficulty.” Ironically, whether in Brenham or Seguin, Craig became an object of abuse, first by those at Bureau headquarters who wanted to silence McGary and then by local officials. Not all Bureau men followed a prudent course; a few created problems where none had existed. Of course, their very presence antagonized whites. But not all disputes between local authorities and Bureau agents were the result of a racist cabal bent on destroying the Freedmen’s Bureau. These were men, subject to all human emotions and characteristics, good and bad. A few Bureau agents, despite their noble mission, proved less than noble. In performing their duties, a number showed kindness, intelligence, and other

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<sup>43</sup> Endorsement of letter from J. B. Kiddoo to Brvt. Maj. Gen. Horatio G. Wright, Commander, District of Texas, June 9, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

admirable qualities. A few others demonstrated cruelty, stupidity, and negligence. The cases of Rand, Longworth, and Craig undermine claims of agent-planter collusion. Each man dealt with Democrats, planters, and former Rebels in a way that would make it impossible to ally themselves with them. Furthermore, Bureau agents, both good and bad, viewed the former Rebels at best with suspicion and at worst as the enemy, and they likened Reconstruction to a war – every bit as important as the Civil War and in many ways an extension of it. This was clear in their writings and moreso in their actions. Although different in many ways, the actions of Rand, Craig, and most definitely Longworth could hardly be called conciliatory. Why would these Bureau men, who allegedly desired to be accepted by the local white community, pursue courses certain to prevent such a relationship?<sup>44</sup>

As they recovered from the shock of defeat, many state officials increasingly focused their still defiant attitude on the Freedmen’s Bureau, the symbol and reminder of what was lost. The citizens also “awakened” and, with a clearer idea about what the Radical Republicans wanted to achieve with their Reconstruction agenda, were encouraged by their civic officers’ defiance. In the spring and summer of 1866 white Texans elected the Throckmorton administration to state office and sent Democrats and conservatives to represent them in Washington, D.C., both groups comprising a portion of the former slaveowning establishment. “The people seem to be well satisfied with the undoubted result – the triumph of the *conservative ticket*,” reported Samuel C. Sloan. “Their *success* at the ballot box will compensate them for their *defeat at arms*. As the *result is the same*, I fear.” Bureau agents also wrote about increased

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<sup>44</sup> Endorsement of letter from Samuel A. Craig, Seguin, to Henry A. Ellis, A.A.A.G., November 10, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; O. O. Howard to J. B. Kiddoo, August 23, 1866, M742C, Letters Sent, January 1-December 29, 1866, reel 2. For a similar instance from Louisiana where a Bureau agent caused problems for his successors through his mistakes, see Solomon K. Smith, “‘Better to not look at a place, than send an unsupported man there as Agent:’ Chaplain Thomas Callahan, and the arrival of the Freedmen’s Bureau in Shreveport,” *North Louisiana History* 36 (2005): 154-166.

violence in their districts throughout mid-and late 1866. “I see no evidence of returning loyalty to the government nor any disposition on the part of the masses to do justice to the freedmen,” complained Ira P. Pedigo in Woodville. “Treason towards the one oppression to the other.” Charles P. Russell saw the change in attitude up close: “while I write to you,” he informed those at headquarters, “a crowd of fellows are in front of my office curseing [sic] the Government, its flag and its friends.”<sup>45</sup>

In Wharton County, William H. Horton heard a complaint by a freedman for nonpayment and ordered the planter to hold the cotton pending an investigation. For lack of troops, however, Horton had to endure the white farmer’s “aggravated humiliation.” Charles C. Hardenbrook lacked the will to remain on duty at Richmond without soldiers and told Bureau officials in Galveston what he thought about his prospects after the troops left his subdistrict. “I [do] not think it safe for me to remain there without said protection,” he stated, and “I respectfully request that I may be relieved if I cannot be furnished a guard. . . .” Edward Miller at Gonzales admitted that he had yet extended his influence beyond one county because he did not have a military escort. “[G]oing alone,” Miller wrote, “would not only be useless, but dangerous.” Leon County citizens took aim at F. D. Inge. In a petition sent to Bureau headquarters in Galveston, more than thirty citizens accused Inge with charging for his services, being “obnoxious and distasteful,” and lacking the confidence of the black and white community. As one white resident described the Bureau man’s actions four decades later, “He did not fear to step where angels might hesitate to go.” They also stated that Inge had exaggerated the county’s problems, problems that whites

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<sup>45</sup> Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., June 30, 1866, AC, Letters Received, 1866-1867, reel 8; Ira P. Pedigo, Woodville, to J. B. Kiddoo, August 6, 1866, AC, Letters Received, 1866-1867, reel 7; Charles P. Russell, Gonzales, to [J. B. Kiddoo], August 14, 1866, AC, Letters Received, 1866-1867, reel 7; *Dallas Herald*, April 28 and May 5, 1866.

claimed he had caused. The petitioners asked Kiddoo to remove Inge.<sup>46</sup>

Inge, a former slaveholder, defended his actions. He reminded Kiddoo that all subassistant commissioners received such criticism from white Texans. “[N]o man can hold the position without being vilified,” he stated. Kiddoo wanted to be sure and ordered William H. Sinclair to investigate the situation. What Sinclair discovered was that Inge’s problems stemmed more from his past than his present. As a Confederate commissary officer during the war, Inge had been charged with confiscating private property for the war effort. Sinclair noted that the citizens had refused to be “violated” by him again. “He (Inge) being a whitewashed rebel (and a rascal) seemed to think – as all of his ilk do,” Sinclair asserted, “that to prove their sincerity as a convert to the new faith they must ‘out herod Herod.’” In short, the inspector concluded that the Bureau agent had “made a fool of himself” and that “he was a knave before [he] got into trouble.” Despite the agent’s claims that he had performed his duties admirably, Kiddoo dismissed Inge from the agency. The white citizens, however, wanted to be completely rid of Inge, and after his dismissal, they caused him to flee with his family to an adjacent county. Sinclair later commented on how quiet the county was once the agent had been removed from his position and had left the county. Inge’s plight exposed another dilemma with hiring scalawags: Bureau officials could never be absolutely sure about what a southern man had done during the war.<sup>47</sup>

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<sup>46</sup> William H. Horton, Wharton, to J. B. Kiddoo, January 1, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook, Richmond, to Henry A. Ellis, A.A.A.G., November 17, 1866, AC, Letters Received, 1866-1867, reel 7; Charles C. Hardenbrook, Richmond, to November 13, 1866, AC, Letters Received, 1866-1867, reel 7; Edward Miller, Victoria, to William H. Sinclair, A.A.G., May 18, 1866, AC, Letters Received, 1866-1867, reel 7; W. D. Wood, *Reminiscences of Reconstruction in Texas and Reminiscences of Texas and Texans Fifty Years Ago* (n.p, 1902), 15; A. B. Newsom et. al., to [Headquarters], July 23, 1866, AC, Letters Received, 1866-1867, reel 7.

<sup>47</sup> F. D. Inge, Leona, to [J. B. Kiddoo], August 13, 1866, AC, Letters Received, 1866-1867, reel 6; William H. Sinclair, A.A.G., to J. P. Richardson, A.A.A.G., March 6, 1868, AC, Letters Received, 1867-1869, reel 15; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., July 9, 1866, Letters Received, 1866-1867, reel 4; Special Orders No. 96, July 28, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Thomas J. Mortimer to J. B. Kiddoo, January, 1867, AC, Letters Received, 1866-1867, reel 7.



In some areas, however, the white citizenry did not need as personal a reason to resist SACs. Around Harrison County and along the Red River, the war “was was still being fought” as violence against the freedmen went unchecked. In fact, one of the first agents at Marshall (Harrison County), Isaac M. Beebe, wanted martial law declared in the surrounding counties. His successor, Charles F. Rand, believed that he could manage the area within fifteen miles of the city, but “[o]utside that distance I am powerless.” Although black troops were stationed in Marshall, they were infantry and useless against men on horseback. Rand also had little confidence in their ability, stating that they “do not possess that degree of intelligence to be trusted to execute an order.” Reminding superiors his district comprised twenty seven counties, Rand requested cavalry to extend his influence. He needed the horsemen to combat the many armed outlaws that ruled this section in Texas. The situation in northeast Texas led one northern observer to conclude there has never “been a time when a man’s life was ever safe in Texas.”<sup>48</sup>

The areas beyond the northeastern corner could also be dangerous. The “unreconstructed” in those regions began focusing their animosity not only on the freedmen but also on some Bureau men. Almost every Bureau man, at one time or another, experienced slights, slanders, or what subassistant commissioner and inspector for Texas William H. Sinclair called “ignorance and ill-breeding” from the white community. The vast majority of these insults amounted to little more than annoyances. But a few whites went beyond the simple slights and moved to threats. As Bureau historian George Bentley concluded five decades ago, “planters did not think of the Bureau in its best [and] they resented its very existence, regardless of what it might do, for it had power over them and was beyond their control.” Threats and acts of violence increased throughout the spring and summer of 1866, especially as the expected date

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<sup>48</sup> Charles F. Rand, Marshall, to Henry A. Ellis, A.A.A.G., December 31, 1866, AC, Letters Received, 1866-1867, reel 7; *New York Times*, February 19, 1866; Hiram Seymour Hall, Marshall, to Chauncey C. Morse, A.A.A.G, December 30, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

of the agency's demise neared in July. (In March 1865 Congress had authorized the Freedmen's Bureau to operate for one year after the war's end.) In Falls County, A. P. Delano received verbal threats and suffered maltreatment by several locals. Delano described an incident in which a white man entered his store with "cocked pistol in his hand" and threatened his life. "[He] attempted to get to me," he recalled, "which caused me to flee from my store to my office (in the rear part of the store) and place myself under lock and key." Samuel C. Sloan at Richmond heard many rumors about his possible assassination. "I have since seen enough," he wrote, "to convince me that such action of the Mil. authorities was absolutely necessary in order to enable me to discharge the duties of my office. . . ." Unless he received some soldiers soon, Sloan wanted to be relieved. Philip Howard, while touring his subdistrict in the spring of 1866, had "some of the worst of mankind" accost him. *Flake's Daily Bulletin*, a Houston newspaper, gleefully described how some toughs beat and robbed one Bureau agent of four-thousand-dollars. The paper sarcastically concluded, "What a pity."<sup>49</sup>

New Yorker and VRC officer Charles C. Hardenbrook experienced a change in the white community's demeanor after a detail of soldiers at Beaumont was reassigned. He had heard that Unionists had their lives threatened, and rumors abounded that the Freedmen's Bureau school would be burned down. "I heard today," he wrote, "that I was soon to receive a dose that would silence me now that the Yankees had gone away." Hardenbrook requested that the troops be returned or at least that he be allowed to move his office closer to federal troops. Whites signed

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<sup>49</sup> Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 121; Bentley, *History of Freedmen's Bureau*, 105; A. P. Delano, Marlin Falls, to F. B. Sturgis, Waco, January 10, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., May 31, 1866, AC, Letters Received, 1866-1867, reel 8; Philip Howard, Meridian, to E. M. Gregory, March 22, 1866, Letters Received, 1866-1867, reel 6; *Flake's Daily Bulletin*, April 30, 1866; Foner, *Politics and Ideology*, 101; J. B. Kiddoo to Brvt. Maj. Gen. Horatio G. Wright, Commander, Department of Texas, May 29, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; J. B. Kiddoo to Brvt. Maj. Gen. Horatio G. Wright, Commander, District of Texas, May 30, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

a petition to pledge their support to him, but this gave Hardenbrook little assurance. “I would rather have them [many of the white citizens],” he admitted, “before my face than behind my back.” His suspicions were warranted, for only a month after prematurely writing superiors in Galveston that he did not have enough work “to keep me busy two minutes a day” and that he did “not anticipate problems,” Hardenbrook was forced to flee for his and his family’s safety. After his repeated requests for transfer from Beaumont, Hardenbrook, now in failing health from bleeding bowels and hindered by war wounds to both shoulders, was reassigned to Houston, Harris County. A few days later, after his muster out and with his wife’s health worsening, Hardenbrook asked to be relieved of duty. Kiddoo honored his request and relieved him.<sup>50</sup>

Events in Washington, D.C., only exacerbated the field agents’ problems. In early 1866 Bureau officials in Washington and Galveston warned personnel to expect trouble as Congress moved to renew the Freedmen’s Bureau. President Andrew Johnson’s actions proved these officials quite prescient. The president’s words and actions greatly influenced white Texans’ resistance to congressional policies. Through his peace proclamation, amnesties, and vetoes, including the second Bureau bill and Civil Rights Act, President Johnson resisted congressional influence in reconstructing the former Confederate states. With “a friend in Washington,” white

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<sup>50</sup> Charles C. Hardenbrook, Beaumont, to William H. Sinclair, A.A.G., May 7, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook, Beaumont, to William H. Sinclair, A.A.G., May 10, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook, Beaumont, to William H. Sinclair, A.A.G., June 18, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook, Beaumont, to William H. Sinclair, A.A.G., June 22, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook File, Pension Record; Endorsement of letter from Charles C. Hardenbrook, Beaumont, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 6; Endorsement of letter from J. B. Kiddoo to Brvt. Maj. Gen. Horatio G. Wright, Commander, District of Texas, June 4, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Charles C. Hardenbrook, Beaumont, to William H. Sinclair, July 8, 1866, AC, Letters Received, 1866-1867, reel 6; Charles C. Hardenbrook, Houston, to Henry A. Ellis, A.A.A.G., November 22, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 63, April 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 149, December 17, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 90, July 14, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 122, October 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 150, December 19, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

Texans were encouraged to resist the Radicals' plan, particularly the hated Freedmen's Bureau. A planter from southeast Texas spoke for many of his fellow planters when he applauded the president's veto of "that most rascally Freedmen's Bureau Bill." In Harris County, Byron Porter wrote about the "increased spirit of hostility manifested" since the president's veto. Even the troubled Bureau agent at Leon County, F. D. Inge, reported that Johnson's actions caused many in his subdistrict to hint that the organization "will soon be abolished." John H. Archer, the SAC at Beaumont, took offense at the president's opposition to the agency, believing it counterproductive. "[I]f President Johnson will only take his seat in my office for a week," he hoped, "I will undertake to convince even him of the fact."<sup>51</sup>

"[I]t was a great misfortune that President Johnson vetoed the Bureau Bill at this time," a dismayed Philip Howard stated. "I believe this year would have nearly or quite haved [sic] settled the hostility of the white man against the Black man and each would have been much better off than they are. . . ." But now, Howard lamented, the white people were optimistic that "slavery will be returned in some shape as soon as Congress adjurns [sic]." Champ Carter listed the "many vague notions" held by whites after the president's vetoes and proclamations. William Longworth, in the middle of his dispute with local officials in Seguin, witnessed the effect Johnson had on the local citizenry. "Between vetoes, proclamations, and writs," he noticed, "I have had rather a sweet time of it, in maintaining the jurisdiction of the Bureau."

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<sup>51</sup> Roark, *Masters Without Slaves*, 139; Byron Porter, Houston, to William H. Sinclair, A.A.G., May 3, 1866, AC, Letters Received, 1866-1867, reel 7; F. D. Inge, Leona, to [E. M.] Gregory, March 22, 1866, AC, Letters Received, 1866-1867, reel 6; John H. Archer, Hempstead, to J. B. Kiddoo, January 10, 1867, AC, December 1866-May 1867, reel 20; James D. Richardson, ed., *A Compilation of the Messages and Papers of the Presidents, 1789-1897*, 10 vols. (Washington, D.C.: Government Printing Office, 1897), 6:398-405, 422-426; O. O. Howard to General, February 23, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Circular No. 7, March 6, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Carter, *When the War Was Over*, 54; E. D. Townsend, A.A.G., to Brvt. Maj. Gen. P. M. Brannan, Commander, Department of Georgia, April 9, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, reel 19. For the showdown between President Andrew Johnson and the Radical Republicans about various Reconstruction issues like the Freedmen's Bureau, see LaWanda Cox and John H. Cox, *Politics, Principle, and Prejudice 1865-1866: Dilemma of Reconstruction America* (London: The Free Press of Glencoe, 1963).

Hoping to steel the resolve of those at headquarters against the president's attack on the Freedmen's Bureau, Longworth encouraged them "not [to] let the president's policy cow you." If they wavered, he predicted, "Johnson . . . will split the Union, you can safely note that down as a fact." Longworth strongly believed that the "Bureau must be continued, on it rests the Unity of the states, do not let the humble source from which those assertions come make you doubt or disbelieve them." Never one to miss an opportunity at self-aggrandizement, Longworth yearned for a showdown with the president and believed himself up to the task to check Johnson's ways. "Were I present in Congress, and could I get myself listened to," he boasted, "I could carry the Bureau Bill against forty vetoes."<sup>52</sup>

President Johnson further impeded the agency's work through his pardon power. For example, Samuel A. Craig at Brenham received word about a "bad case of killing." Jim Holt, a white man, was rumored to have killed several freedmen and even a U.S. soldier. All previous attempts to arrest him had failed. After interviewing witnesses – "going 15 miles at night in citizen's clothes" – and investigating the matter, Craig was determined to bring Holt to justice. With nearly twenty soldiers, the Bureau agent headed out to where Holt was rumored to be. Traveling by "devious ways," the party arrived just before dawn. Craig divided his force, took some men, and approached the cabin under cover of a cornfield. The Bureau agent crept up to a window, peered in, and saw two men asleep. With help from a young black girl, Craig determined which man was Holt. "Not a motion or I fire," he said to Holt as he startled him

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<sup>52</sup> Philip Howard, Meridian, to E. M. Gregory, March 22, 1866, AC, Letters Received, 1866-1867, reel 6; Philip Howard, Meridian, to [J. B. Kiddoo], July 31, 1866, Letters Received, 1866-1867, reel 6; Camp Carter, Sterling, to [J. B. Kiddoo], May 21, 1866, AC, Letters Received, 1866-1867, reel 4; William Longworth, Sutherland Springs, to William H. Sinclair, May 1, 1866, AC, Letters Received, 1866-1867, reel 6; William Longworth, Sutherland Springs, to General, March 9, 1866, AC, Letters Received, 1866-1867, reel 6. For agents in other states and their opinions about President Andrew Johnson, see William F. Mugleston, ed., "The Freedmen's Bureau and Reconstruction in Virginia: The Diary of Marcus Sterling Hopkins, a Union Officer," *Virginia Magazine of History and Biography* 86 (January 1978): 49.

from his sleep. “Well that’s a damn cold thing to look into before breakfast,” Holt replied. But much to his astonishment, Craig’s efforts were all for naught. After Holt’s trial and conviction, President Johnson pardoned the convicted murderer. “But how, or why or at whose instance, I never knew,” a confused and frustrated Craig later wrote, “We supposed Johnson had leaned Southward by this time.”<sup>53</sup>

Since the Bureau never eliminated President Johnson’s influence, according to Reconstruction historian Donald J. Nieman, “it failed to go to the root of the problem.” Many Bureau agents in Texas disliked Johnson and his actions and words, not out of love for the Radical Republicans, but because the president made their jobs more difficult. In fact, Johnson’s actions greatly contributed to agents’ involvement in politics in mid-1867 and to their support for congressional policies. “Yes hurrah, for the glorious *radical republican party*,” cheered Samuel A. Craig about the Republican congressional victory in November 1866. After dealing with problems caused by the president, Craig expressed his uncensored opinion to Galveston. “[Just as in] the bloody battles of the late memorable war,” he wrote, the Union men “again have manhood and pluck to stand up to them and whip them in peace at the ballot box. Bully for the Rads.”<sup>54</sup>

In the midst of this white resurgence, some in the “defeated element” broke from the pack. In the strange world of Reconstruction, those who resisted and fought the Freedmen’s Bureau one day needed its assistance the next. Bureau agents often assisted the very men who a day earlier might have threatened or cursed them. For example, A. B. Homer at Columbia was

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<sup>53</sup> Craig, “Memoirs,” 82.

<sup>54</sup> Donald G. Nieman, “Andrew Johnson, the Freedmen’s Bureau, and the Problem of Equal Rights, 1865-1866,” *Journal of Southern History* 44 (August 1978): 420; Samuel A. Craig, Seguin, to William H. Sinclair, A.A.G., October 21, 1866, AC, Letters Received, 1866-1867, reel 4; Cox and Cox, “General Howard and ‘Misrepresented Bureau,’” 437.

called out to a plantation to defend a planter from his field hands. The planter had beaten a former slave, which caused the other freedmen to come to the assaulted black man's aid. With as many as three hundred former slaves (some armed) now on his property, the planter took refuge in his cabin. As the crowd demanded the man's surrender, Homer arrived on the scene. He quieted the crowd by assuring them that justice would be done. Homer later fined the planter five hundred dollars for the assault, but the situation in the subdistrict remained tense. "[I]n the present condition of the community," Homer wrote about his district after the affair, "it would take but a little spark to spread a conflagration that would lay waste [to] the whole land."<sup>55</sup>

To prevent these conflagrations, some field agents repeatedly asked for troops, particularly cavalry. Although Bureau agents were expected to extend their influence as far as possible, infantry proved useless beyond the agent's office. For example, Edward Miller at Victoria wanted cavalry for protection and courier duty. For the most part, the situation in Victoria was quiet. Not so for some of the counties between Victoria and San Antonio, which Miller dubbed "No Man's Land," where life was cheap and outlaws ruled. Miller believed most of his problems stemmed from this area, particularly Refugio County. Outlaws routinely escaped capture when he sent infantry to arrest them and unless he received some mounted men, they would continue to evade capture. From Gonzales to Marshall, from Liberty to Bastrop, subassistant commissioners wrote their superiors about their need for cavalry, for those who were "unmounted are useless." From the Freedmen's Bureau's beginnings in late 1865 to its waning days in late 1868, field agents never ceased their requests for cavalry or horses for their infantry men. Unfortunately for the agents, Bureau and military officials often rejected these requests as "impossible at this time" or impractical, and, on more than one occasion, they simply

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<sup>55</sup> A. B. Homer, Columbia, to J. P. Richardson, A.A.A.G., May 18, 1866, SAC, Letters Received, January 1866-December 1868, reel 15.

ignored the requests.<sup>56</sup>

These reports of violence, however, could be misleading. They were sometimes based on hearsay. “In reference to murders of union men and Freedmen, and outrages committed within this District,” wrote F. B. Sturgis at La Grange in late 1866, “any Report I may make will be but from Hearsay and no evidence of facts.” With many Bureau men unable to tour their subdistricts effectively, they, at times, had to take shortcuts in their reports. Rumors, suggestions, and speculations were passed off as facts to meet the demands of those at headquarters for information as well as their insistence on timely monthly reports. In fact, Bureau and military officials were concerned about fabricated reports. John William De Forest, a Bureau agent in western South Carolina who later penned a memorable work about his experiences with organization, admitted to judging in some of his reports. A few agents also exaggerated or embellished the violence in their subdistricts. In his work *A History of the Freedmen’s Bureau* – still a standard work on the organization – George Bentley shows that agents sometimes exaggerated violence in their reports. Paul David Philips, in his study of the Freedmen’s Bureau in Tennessee, also found that agents sometimes did the same. William L. Richter, in his article on the Bureau in Paris, Texas, also found that one agent’s “accounts of a bloodbath seem exaggerated.”<sup>57</sup>

These men could easily have been influenced by the state’s reputation and the numerous stories from the northern press about murder and mayhem. Before these men ever assumed their

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<sup>56</sup> Edward Miller, Victoria, to William H. Sinclair, A.A.G., May 8, 1866, AC, Letters Received, 1866-1867, reel 7.

<sup>57</sup> F. B. Sturgis, La Grange, to Henry A. Ellis, A.A.A.G., November 19, 1866, AC, Letters Received, 1866-1867, reel 8; Richter, “Revolver Rules the Day!” 325; Paul David Philips, “Freedmen’s Bureau in Tennessee” (Ph. D. diss., Vanderbilt University, 1966), 324; Telegram from James C. Devine, Huntsville, to Henry A. Ellis, A.A.A.G., October 22, 1866, AC, Letters Received, 1866-1867, reel 5; James C. Devine, Huntsville, to Henry A. Ellis, A.A.A.G., October 24, 1866, AC, Letters Received, 1866-1867, reel 4; Croushore and Potter, eds., *A Union Officer in the Reconstruction*, 110-112.



positions or set foot in their subdistricts, they “expected” the worst, for it was widely reported that Union men and federal agents were never safe in the Lone Star State. For some, it was as bad as they thought. For a few, however, it was not. At Lockhart, Thomas H. Baker arrived at his post in May 1868 and immediately requested troops, claiming that the feeling of the white people “is *any thing else but* good either by words or actions.” He further admitted that the “freed people can get but little or no protection outside” the Bureau agent’s office. Within two months of being at his post, however, Baker notified superiors that “for the present the free people can manage to get along without them.” For the rest of the year, he reported the same, even remarking in October that “I get along with my business to use a common saying as a lasy [sic] as an old Shoe.” Louis W. Stevenson at Columbus reported that local law enforcement was to carry out the execution of a freedman and that he needed a detachment of soldiers. The Bureau man worried that “certain bad white men may take advantage of the event to cause a disturbance which is evidently desired.” Stevenson even suggested that the governor commute the man’s sentence, believing this would prevent the expected “emergency.” The next month, after the execution had “passed off quietly,” Stevenson wrote that “I see no real necessity for troops.” For the first half of 1868, James P. Butler at Huntsville wrote to Bureau headquarters that he needed troops and expected trouble and could not do his duty without them. “There are no troops stationed at this post,” he stated in March 1868, “the necessity for their presence is very obvious to you and it would be almost superfluous for me to report that I have so often embraced in my former reports in regard to their necessity. One thing very evident they give tone and force to the existence of a Bureau.” By the late spring of 1868, however, Butler wrote to officials at headquarters that he still did not have troops but “they are not much needed.” He even admitted that he labored “under no difficulties in the performance of my duties, everything

is progressing peaceably and amicably.” Pennsylvanian James C. Devine, the SAC at Huntsville, expected trouble and frantically telegraphed Galveston headquarters to send a “strong” guard. Devine even followed with another telegram reiterating that he believed the guard “actually necessary.” He made those requests on October 22. Two days later, however, Devine realized he had misjudged the situation and relayed to superiors that the situation in his district was “all quiet [I] am able to get along without troops.”<sup>58</sup>

To say violence did not exist or that the Reconstruction South experienced little violence would be clearly wrong, for the works of George C. Rable, Allen W. Trelease, and John A. Carpenter clearly show otherwise. But not all claims of violence were trustworthy. Reconstruction was an emotionally charged time, and some stories about violence against white Unionists and freedmen were used to gain political capital. For example, the scalawag Bureau agent Philip Howard at Meridian, Bosque County, believed his life threatened throughout the spring and summer of 1866 due to his Bureau service. Howard thanked “the Supreme ruler for my preservation in my laborious and arderous [sic] duties I have done with no force to protect

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<sup>58</sup> Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 25; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 25; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., December 31, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., March 1, 1868, AC, Reports of Operations and Conditions, March-August, 1868, reel 25; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., May 2, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; James P. Butler, to J. P. Richardson, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; James C. Devine, Huntsville, to Henry A. Ellis, A.A.A.G., October 22, 1866, AC, Letters Received, 1866-1867, reel 4. For the reports of Thomas H. Baker, see Thomas H. Baker, Lockhart, to Charles S. Morse, A.A.A.G., August 31, 1868, AC; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., September 5, 1868, AC; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., October 31, 1868, AC; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC; and Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., December 31, 1868, AC (all in Reports of Operations and Conditions, reel 27-28). For the reports of James P. Butler, see James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., AC, Reports of Operations and Conditions, January-February, 1868, reel 24; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., February 29, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24.

me, things but few men would [have] attempted and has won general esteem for my firm and mild course with these people.” A few months later in July 1866, Howard further commented on his impending assassination. “I have run great risk of my life in holding this office,” he observed. “I am old and they cannot cheat me out of many years if the[y] kill me, I have done what I considered was my duty under the surrounding circumstances.” Howard heard about a fray in Waco between white citizens and soldiers. He believed the incident would result in an assault against him and informed Kiddoo that he awaited his turn. “[T]he Rebs are getting moore [sic] bold every day and I do not know when they may attack me.” Before his anticipated demise could come, however, Howard, “tired of the risk” and frustrated that he “can do nothing with them without help,” asked to be relieved of duty in late 1866. The assistant commissioner personally thanked Howard by name for his service in the Freedmen’s Bureau, no small gesture considering Kiddoo’s opinion of civilian agents.<sup>59</sup>

Having “escaped” with his life, Howard was doubtless thankful to be rid of the job and its responsibilities. In fact, he was so thankful that he returned to Bureau service in 1867, accepting once again the position as subassistant commissioner at Meridian. He remained there until early the next year. After his tenure, he even thought so much of those same people who wanted him “dead” that Howard married a local girl and lived in the same county with his family until at least 1880 when he disappeared from the census.<sup>60</sup>

Every agent could appreciate Howard’s fears. His pleas reflected an underlying anxiety

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<sup>59</sup> Philip Howard, Meridian, to [E. M.] Gregory, April 1, 1866, AC, Letters Received, 1866-1867, reel 6; Philip Howard, Meridian, to [J. B. Kiddoo], July 10, 1866, AC, Letters Received, 1866-1867, reel 6; Philip Howard, Meridian, to [J. B. Kiddoo], July 10, 1866, AC, Letters Received, 1866-1867, reel 6; Philip Howard, Meridian, to William H. Sinclair, A.A.G., August 22, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 128, October 27, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869.

<sup>60</sup> Special Orders No. 96, October 31, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 6, January 25, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

held by nearly every Bureau agent at one time or another in Texas: the feeling of being alone, in a foreign land among different and, at times, hostile people. Whether a particular agent's tenure was tranquil or violent, he desired protection and assistance. Even in less chaotic districts, the workload was immense. Believing his predecessor's policies were too lenient, Kiddoo instituted policies aimed at greater oversight and jurisdiction. As a result, tours, settlements, and endless paperwork could last from "sun up to sun down" and on many occasions from "sun up" to "sun up." And, of course, some Bureau men had more work than others. Depending on the number of freedpeople, the hostility of the white community, and the size of the subdistrict, the workload proved too much for one man for some agents. Bureau men realized that more agents were needed, and many hoped that legislation currently before Congress in the summer of 1866 would remedy their protection and manpower problems.

## CHAPTER 4

### BUREAU EXPANSION, BUREAU COURTS, AND THE BLACK CODE: THE J. B. KIDDOO ERA, SUMMER 1866-NOVEMBER 1866

By the summer of 1866, the Freedmen's Bureau extended to the interior of Texas. This expansion increased the demands on Bureau agents. To aid them in their work, field personnel received additional help in mid-summer, when Congress renewed the organization for another two years. Beyond allocating funds for more personnel, the act also authorized agents to use Bureau courts to help protect the legal rights of the former slaves. The Bureau's renewal and expansion seemed all the more necessary when the Texas state legislature passed measures aimed at controlling and regulating the former slaves. These laws greatly increased the pressure on subassistant commissioners to prevent white Texans and state officials from returning the freedmen to a state of complete subordination.

In July 1866, after multiple presidential vetoes, congressional Republicans successfully renewed the Freedmen's Bureau. The bill extended the life of the agency until July 1868 and included significant changes to the first bill. The second bill appropriated money for Bureau agents' salaries, which ranged from five to twelve hundred dollars a year. In time, salaries would increase to a low of \$75 and a high of \$150 a month. With the carrot also came the stick. Bureau authorities could now use the threat of nonpayment to punish subordinates for malfeasance, neglect, or ineffectiveness. Thus, payment depended on an agent's acceptable service. The renewal act also allowed those Veteran Reserve Corps officers already in Bureau service to remain with the organization after their muster out. Finally, the act specifically sanctioned the use of Bureau courts.<sup>1</sup>

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<sup>1</sup> *Statutes at Large*, 14:173-177; Circular Letter from O. O. Howard, August 1, 1867, AC, Letters Received, 1866-1867, reel 6. For an example of Bureau officials using nonpayment of salary as a punishment, see Special Orders No. 323, June 25, 1867, AC, Letters Received, 1866-1867, reel 6.

These changes extended much needed assistance to field agents. The new law could not have come at a better moment, for mid-summer 1866 marked the height of white resistance up to that time, and it would continue into the fall. In some areas, conditions for the freedmen were described as “worse than slavery,” as former Rebels tried to restore as much of their paradise lost as possible. One Bureau men reported that freedmen “besought [former masters] to return them to [their] care as . . . slaves, that they might have some protection.” A white Unionist commented about the election of Throckmorton and actions by President Johnson and noted that they set the white Texans “upon their legs [and] gave them a defiant confidence, that bodes no good to our future quiet.” Differing from the mostly vocal opposition earlier in the year, white resistance in the latter half of the year sometimes resulted in physical threats and violence against subassistant commissioners. In Hallettsville, a place believed to be ruled by “the revolver and bowie knife,” William H. Heistand reported that whites “are very hostile toward the ‘Bureau’ and . . . any supporter of the Government.” He further wrote about an incident that happened within his office:

Yesterday a number of men all wearing revolvers entered my office [and] the one who appeared to be the leader . . . cursed and abused me and the ‘Bureau’ in a most shameful manner telling me to leave the country that it was not safe for me and that my life was forfeited. In the evening an attempt was made to assassinate me [and] they would have no doubt succeeded had I not been put on guard by a Freedwoman who overheard the conversation. I was however compelled to hide in my room and to remain there till morning.<sup>2</sup>

Even Kiddoo saw the conditions in some portions of Texas when he toured several counties in

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<sup>2</sup> William H. Heistand, Hallettsville, to Henry A. Ellis, A.A.A.G., November 13, 1866, AC, Letters Received, 1866-1867, reel 6; *Report of the Joint Committee on Reconstruction*, 39<sup>th</sup> Congress, 1<sup>st</sup> Session, Report No. 30 (Washington, D.C.: Government Printing Office, 1866), 46 (hereafter cited as *Joint Committee on Reconstruction*); Robert Smith, District Tax Commissioner, to [J. B.] Kiddoo, AC, Letters Received, 1866-1867, reel 8; William Prissick to J. B. Kiddoo, September 23, 1866, AC, Letters Received, 1866-1867, reel 7; Rebecca A. Kosary, “Regression to Barbarism in Reconstruction Texas: An Analysis of White Violence Against African-Americans From the Texas Freedmen’s Bureau Records, 1865-1868” (Master’s Thesis, Southwest Texas State, 1999), 69.

late summer 1866. He admitted that he would have been murdered or grossly insulted if not for his military escort. It was obvious to Kiddoo that his field personnel and the freedpeople required the same assistance.<sup>3</sup>

Kiddoo could draw from several sources to provide this assistance. One was the civilian population in Texas. Because he distrusted them, Kiddoo shied away from civilian appointments much more than his predecessor and two successors. Of the twenty-five men appointed from May 1866 to January 1867, only four (16 percent) were civilians. When compared to the nearly 50 percent civilian-appointee rate by Gregory and Charles Griffin (Kiddoo's immediate successor) and the more than 42-percent rate for J. J. Reynolds (Griffin's immediate successor), the evidence shows Kiddoo's clear preference for military men. The regular army and volunteer corps remained the main source, but there existed another: the Veteran Reserve Corps (VRC) or Invalid Corps. Formed in 1863, the VRC comprised men "who were in some way disabled but were still fit for rear echelon duty." Throughout the agency's time in Texas, eleven officers from the VRC served as Bureau agents, a number considerably lower than the twenty-three VRC officers who served in Georgia.<sup>4</sup>

Despite their wounds, these men acquitted themselves as well as might be expected and, at times, better. In fact, few seemed to have been greatly limited by their conditions (if so, they did not use it as an excuse, for there are few references to their wounds limiting their performances in the Bureau records). Officials considered Charles F. Rand to be one of the best

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<sup>3</sup> J. B. Kiddoo to O. O. Howard, August 8, 1866, M742C, Letters Received, May-August, 1866, reel 36.

<sup>4</sup> Paul A. Cimbala, "Lining up to Serve: Wounded and Sick Union Officers from the Veteran Reserve Corps during Civil War/Reconstruction," *Prologue* 35 (Spring 2003): 40; Paul A. Cimbala, "Soldiering on the Home Front: The Veteran Reserve Corps and the Northern People," in Paul A. Cimbala and Randall M. Miller, eds., *Union Soldiers and the Northern Home Front: Wartime Experiences, Postwar Adjustments* (New York: Fordham University Press, 2002), 183; Cimbala, *Under the Guardianship of the Nation*, 271-272. For the numbers and appointments, see Roster of Officers and Civilians, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, reels 29-31.

SACs to have served in Texas. Bureau officials liked Edward Miller enough that they recommended his reappointment as a civilian agent after his muster out. At Marshall, Isaac M. Beebe, one of the few VRC officers not appointed by Kiddoo, did a more than adequate job as agent, considering the circumstances of northeast Texas. Kiddoo wrote to Commissioner Howard about Beebe's bravery, intelligence, moral character, and, most important, competence. "I consider" him, wrote the assistant commissioner, "one [of] the best officers of his rank in the service." Beebe left few critics of his ability before his abrupt death in early 1866. Samuel A. Craig, dealing with the adverse effects of William Longworth's course, hardly let his disability limit him in performing his duties. N. H. Randlett served for thirty months in the Freedmen's Bureau in Texas. In fact, Bureau officials thought enough of his service that in late 1867, as he neared his muster out, they recommended he be reappointed as a civilian agent. Of all the agents to have served in Texas, only four had such an honor.<sup>5</sup>

These men discovered that their injuries would not shield them from criticism. For example, repeated complaints from freedmen and white Unionists about neglect, intemperance, and collusion arrived at headquarters against VRC officer James P. Hutchison. Accusations surfaced that he had not "yet tried to make [his] position otherwise remunerative than [his] authorized pay." Bureau officials wrote to Hutchison that "the manner in which these people stated their case and the evidence of their sincerity" has convinced Kiddoo "almost against his own will that you have been neglecting the interests of the freedpeople . . . in other words that

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<sup>5</sup> Endorsement of letter from Isaac M. Beebe, Marshall, to J. B. Kiddoo, August 14, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1866-1867, reel 17; Special Orders No. 105, December 24, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; C. H. Whittelsey, A.A.A.G., to J. J. Reynolds, January 7, 1868, AC, Letters Received, 1867-1869, reel 16; Special Orders No. 65, April 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 62, October 18, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.



the planters have got control over you.”<sup>6</sup>

Already frustrated by accusations of intemperance, which he vigorously denied, Hutchison reminded his superiors that freedmen could be easily “influenced and controled [sic]” by their former masters. Furthermore, he wondered how Kiddoo could have come to such a conclusion. Hutchison reminded them that he had performed his duties at great personal expense to his finances and health, and besides, freedmen were not above lying or mischaracterization. A perplexed and greatly annoyed Hutchison admitted,

If watching their interests and guarding them when at stake, listening to all their complaints and differences between themselves and complaints against their employers; investigating every case brought under my observation and awarding justice when in my judgment justice was due; doing for them at all hours of the day and late in the night, sick or well; [and] counseling with and advising them. If efforts of this kind can be called neglecting their interest then I must frankly admit that they have been grossly neglected . . . In what way does it appear that I am controled [sic] by the planters[?] Is gold . . . offered in order to bias my judgment; yes, thrust into my face it has been, & into my pockets and hands more than once, but never in any instance have I accepted it or taken it from their presence. There is one positive fact to be observed, however, and that is, money has never been offered to me after a settlement was made or a case adjudicated, but always previous to [the] action.<sup>7</sup>

He then spoke for all his fellow agents who believed they had been unjustly accused by officials at headquarters and who, at times, thought they were fighting a two-front battle: one against white Texans, who resisted their efforts, and the other against Bureau headquarters. Hutchison told superiors that the “bait” was enticing, since he had a family to care for and had “to pay out of my salary thirty five dollars per month . . . for board in this miserable town.” But he reiterated

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<sup>6</sup> James P. Hutchison, Columbia, to William H. Sinclair, A.A.G., January 3, 1867, AC, Letters Received, 1866-1867, reel 6; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1866-1867, reel 17; L. J. Warner, Inspector, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Letters Received, 1866-1867, reel 9; William H. Sinclair, A.A.G., to James P. Hutchison, Columbia, January 10, 1867, AC, Letters Received, 1866-1867, reel 8; James P. Hutchison, Columbia, to Charles Griffin, January 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

<sup>7</sup> James P. Hutchison, Columbia, to Charles Griffin, January 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; James P. Hutchison, Columbia, to J. B. Kiddoo, January 19, 1867, AC, Letters Received, 1866-1867, reel 8.

that he had “nothing to regret or to condemn myself for.” He concluded his letter by admitting his attitude “may be deemed unmilitary and, perhaps, undignified, but [it is] the best and most candid defense I am able to mount.” By summer, Hutchison asked to be relieved, but he must have changed his mind, for he remained in Bureau service until his muster out in June 1867.<sup>8</sup>

VRC officers’ performances ranged from the competent to the incompetent, from the scrupulous to the unscrupulous. They, like their more able-bodied counterparts, struggled to resist temptation and overcome character flaws. Indictments of Hutchison proved to be unfounded, but the accusations against some other VRC agents were justified. J. Ernest Goodman lost his leg at the Battle of Ringgold Gap in late 1863. With endorsements from high-ranking Bureau officers, including Kiddoo, Goodman received an appointment in the agency. He admitted that his condition permitted only a partial tour of his district, but this did not cause those at headquarters to suspect any shirking of duty. It was freedmen who claimed that Goodman had allowed white citizens in town to raise a Confederate flag during a July 4<sup>th</sup> celebration. Freedmen also accused him of asking students and a Bureau teacher to refrain from singing Union songs because of their inflammatory content. With so much controversy swirling about his head, Goodman asked for and received his release. Bureau officials in Galveston later received information that Goodman had illegally sold military supplies (food stuffs) and had pocketed the money. They confronted him at his home in Pennsylvania. He claimed Kiddoo had authorized him to throw out the food because it was too “musty and full of weevils.” Wanting to salvage whatever he could, Goodman claimed to have sold the better stuff for twelve dollars, and

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<sup>8</sup> James P. Hutchison, Columbia, to J. B. Kiddoo, January 19, 1866, AC, Letters Received, 1866-1867, reel 6; James P. Hutchison, Columbia, to J. T. Kirkman, A.A.A.G., May 1, 1867, Letters Received, 1866-1867, reel 6; Special Orders No. 57, May 26, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

“my intention was to turn it over to the Commissary” in Philadelphia.<sup>9</sup>

While at Clinton, Albert A. Metzner, who received a severe thigh wound from an artillery shell during the war, performed his duties in such a manner to win both the white and black communities’ respect. One individual, however, who desired his position as agent, claimed Metzner guarded the “rebel” and “planter” at the freedmen’s expense. Bureau officials sent an inspector to investigate the charges, but he found Metzner to be “highly commended by the people of his section.” William H. Sinclair continued that “I am confident it is not from any motive other than the conviction that he fearlessly and fairly discharges the duties of his office.” The only complaint leveled at him that could be substantiated was that he drank too much, something other VRC officers did to cope with the pain from their injuries. In fact, Metzner, for the most part, acquitted himself rather nicely, serving more than two years as an agent. His intemperance, however, got the best of him, as he racked up a massive bar bill that totaled more than five hundred dollars. Surprisingly, Metzner’s “disgraceful conduct” did not adversely affect his standing with the people in his subdistrict, for many in the white and black communities had nothing but respect for him. This respect, however, could not save his job. After repeated complaints about Metzner’s behavior, Bureau officials relieved Metzner due to neglect of his duties in the summer of 1868.<sup>10</sup>

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<sup>9</sup> J. Ernest Goodman to William H. Sinclair, A.A.G., September 22, 1866, AC, Letters Received, 1866-1867, reel 5; *Field Record of Officers of the Veteran Reserve Corps, from the Commencement to the Close of the Rebellion* (Washington, D.C.: Scriver & Swing, n.d.), 28; J. Ernest Goodman File, Pension Record; Special Orders No. 67, April 23, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. Ernest Goodman, Columbus, to William H. Sinclair, A.A.G., July 31, 1866, AC, Letters Received, 1866-1867, reel 5; William H. Sinclair, A.A.G., to J. Ernest Goodman, Columbus, July 19, 1866, AC, Letters Sent, April 1866-1867, reel 2; William H. Sinclair, A.A.G., to J. Ernest Goodman, Columbus, July 19, 1866, AC Letters Sent, April 1866-1867, reel 2; Special Orders No. 101, August 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; C. A. Dempsey, 17<sup>th</sup> Infantry, A.A.Q.M., to L. H. Lathrop, Commander, Post of Houston, August 29, 1866, AC, Letters Received, 1866-1867, reel 5; Richter, *Overreached on All Sides*, 107.

<sup>10</sup> William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 13, 1868, AC, Letters Received, 1867-1869, reel 15; *Field Record of Officers of the Veteran Reserve Corps*, 35; Special Orders No. 63, April 16,

Harris County agent Henry H. Eddleson, who still carried a ball in his leg from a gun shot wound during the war, was pitifully ineffective as a subassistant commissioner. When asked to be relieved, Kiddoo quickly granted him his wish. "This officer's services are no longer needed," wrote Kiddoo to Howard in Washington, "and have been of no value to it while on duty thus far." William H. Horton was first appointed to Wharton and Dallas Counties before being reassigned to Bastrop in 1868. He had lost his arm at Chancellorsville in 1863, received three gun shot wounds, and contracted three separate diseases during the war. In fact, the pain in his stump, shoulder, and neck "was so intense that at times he was almost deranged." One coworker at the Internal Revenue Service years later reported, "He was the greatest sufferer I ever saw and frequently would get up out of his chair while at work, walking the floor while in such agony from his pain." Horton soon drew the suspicion of those at headquarters when someone reported seeing him riding in a carriage with a man known at Bureau headquarters to have beaten and assaulted freedmen. Horton claimed the ride was official business to talk with some obstreperous freedmen and only later did he discover "that one of the parties was [William J.] Bell of whom I had heard so much."<sup>11</sup>

With suspicion swirling around his head, Horton received orders to turn over his records and come to Galveston. Since his time in Dallas, Horton's reputation had taken a turn for the worse. The local newspaper asked its readers for information on Horton's wrongdoings.

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1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 44, July 31, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. J. Reynolds to O. O. Howard, July 31, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 16.

<sup>11</sup> Endorsement of letter from Henry H. Eddleson, Houston, to J. B. Kiddoo, October 10, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; William H. Horton File, Pension Record; William H. Horton, Bastrop, to J. P. Richardson, A.A.A.G., May 2, 1868, AC, Letters Received, 1867-1869, reel 10; Henry H. Eddleson File, Pension Record; Special Orders No. 142, November 26, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 20, February 18, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 21, March 24, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

Readers obliged and presented overwhelming evidence that he had accepted bribes and had stolen money. “The Rebels here swore that they would ruin me,” the SAC wrote in hopes that superiors might dismiss the accusations, “and I think they will succeed.” In fact, in early 1868, Horton survived an attempt on his life. With his wife soon to arrive in the state and his reputation in shambles, Horton confessed that the embarrassment was too much. “The humiliation is too great to bear, to a proud, brave man, death is preferable,” he admitted to Bureau officials. He wanted Bureau officials to prevent the story’s publication in the local papers so he could “blow his brains out.” Before he could end his life, however, Horton asked superiors to intervene on his behalf, not to censor the newspapers, but to stop the civil proceedings against him. For his illegal actions as subassistant commissioner, Dallas civil authorities had sued him for ten-thousand-dollars. Then assistant commissioner J. J. Reynolds stopped the proceedings and dismissed the charges, which ended the Bureau’s relationship with Horton.<sup>12</sup>

Disabled or not, men from the VRC soon discovered that their Bureau uniform was the “great equalizer.” Those who donned it, despite their best intentions or their prudent course, could easily run afoul of the white community. For example, Alfred T. Manning experienced one difficulty after another while in Waco. In spite of having lost a leg at Chancellorsville in 1863 and being “much inconvenienced from a defect in his artificial limb,” he still toured his

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<sup>12</sup> William H. Horton, Bastrop, to [C. S.] Roberts, A.A.A.G., September 22, 1868, AC, Letters Received, 1867-1869, reel 11; Special Orders No. 55, September 19, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Perry S. Taylor to John J. Good, August 24, 1868, AC, Letters Received, 1867-1869, reel 16; G. T. Kendall to J. J. Reynolds, April 10, 1868, AC, Letters Received, 1867-1869, reel 13; William H. Horton to Charles A. Vernou, A.A.A.G., October 28, 1868, AC, Letters Received, 1867-1869, reel 12; William H. Horton, Dallas, to J. P. Richardson, A.A.A.G., [February 1868], AC, Letters Received, 1867-1869, reel 12; William H. Horton to Charles A. Vernou, A.A.A.G., October 30, 1868, AC, Letters Received, 1867-1869, reel 12; Charles A. Vernou, A.A.A.G., to William H. Horton, October 29, 1868, Letters Sent, March 1867-May 1869, reel 2; Charles A. Vernou, A.A.A.G., to William H. Horton, November 4, 1868, AC, Letters Sent, March 1867-May 1869, reel 2; J. J. Reynolds to O. O. Howard, September 19, 1868, M742C, July-December, 1868, reel 60.

district at least once every two weeks. Manning discovered things progressing well, with employers paying their hands nearly twice the state's going rate. The problem in his subdistrict, however, was how some whites still treated the freedmen. He told officials horror stories, ones that "make your flesh creep." One such case involved a young black boy accused of raping a white girl. The girl's father, along with two white doctors, castrated the black boy as punishment. Manning wanted to bring the perpetrators to justice and arrested J. C. McCrary and the doctors for their "most atrocious [deed] in the annals of barbarity." The Bureau man had them guarded to prevent any attempts by the white community to free the men.<sup>13</sup>

Governor Throckmorton, having been informed about Manning's actions, soon got involved in the matter. After corresponding with Gen. Griffin, who was the district commander of Texas, about the incident, the governor and general decided to allow civil authorities to deal with the matter. Bureau authorities instructed Manning to oversee the process and report any irregularities or injustice. This reduced role greatly angered him, for he saw the move by those at headquarters as a slap in the face. Fearing he might unnecessarily interfere in the case, Bureau officials transferred Manning to Cotton Gin, approximately fifty miles from Waco. Perhaps because of frustration with how things developed at Waco or his love for a Waco woman, Manning appeared to have lost the zeal to perform his duties at Cotton Gin. But his "inattention" did not shield him from white attacks, for an unknown person shot him in his good leg as he traveled one night to a friend's house. Manning literally crawled back to town. Bureau officials

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<sup>13</sup> Charles Griffin to O. O. Howard, June 15, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Alfred T. Manning, Waco, to J. T. Kirkman, A.A.A.G., February 28, 1867, AC, Letters Received, 1866-1867, reel 7; Alfred T. Manning, Waco, to J. B. Kiddoo, January 20, 1867, AC, Letters Received, 1866-1867, reel 7; Special Orders No. 91, July 17, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Alfred T. Manning, Waco, to [J. B. Kiddoo], October 18, 1866, AC, Letters Received, 1866-1867, reel 7; *Field Record of Officers of the Veteran Reserve Corps*, 28; Barry A. Crouch, "Spirit of Lawlessness: White Violence, Texas Blacks, 1865-1868," *Journal of Social History* 48 (Winter 1984): 225.

granted his request to come to Galveston to recover. While he was there, they also questioned Manning about accusations of bribery, neglect, and financial misdoings, all of which he denied. In the end, his undoing came with accusations of public drunkenness and a massive bar bill, which he tried not to pay. Tired of his shenanigans, then assistant commissioner Charles Griffin relieved Manning from any further Bureau service in late summer 1867.<sup>14</sup>

J. Ernest Goodman, Henry H. Eddleson, William H. Horton, and Alfred T. Manning notwithstanding, Bureau agents from the VRC were about as competent and honest as most other agents in Texas. In fact, a few performed their duties admirably, never running afoul of Bureau authorities. Though disabled, these men refused to allow their injuries to interfere with their duties. As noted, few instances can be found of VRC agents claiming they could not perform their duties because of an atrophied arm, an amputated leg, or an unhealed wound. These men certainly looked upon service in the organization as a job, but also a way to prove their use to society. But something else drove these men to Bureau service. Their patriotism and citizenship during the war had exacted a great price from them. Unlike their more able-bodied counterparts, VRC agents were daily reminded of the price paid for the preservation of the Union. Doubtless, they wanted to make their personal sacrifice mean something more than the status quo

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<sup>14</sup> Charles B Pearce to J. W. Throckmorton, February 6, 1867, AC, Letters Received, 1866-1867, reel 7; J. W. Throckmorton to Charles Griffin, January 28, AC, Letters Received, 1866-1867, reel 9; J. W. Throckmorton to Charles Griffin, February 8, 1867, AC, Letters Received, 1866-1867, reel 9; William L. Richter, *The Army in Texas During Reconstruction, 1865-1870* (College Station: Texas A&M University Press, 1987), 90; Special Orders No. 38, April 1, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Alfred T. Manning, Cotton Gin, to J. T. Kirkman, A.A.A.G., May 30, 1867, AC, Letters Received, 1866-1867, reel 7; J. T. Kirkman, A.A.A.G., to Alfred T. Manning, Cotton Gin, May 28, 1867, AC, Letters Sent, September 1865-March 1867, reel 1; Special Orders No. 62, June 15, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Endorsement of letter from Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., June 28, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Letters Received, 1866-1867, reel 4; E. A. McCrackin to J. T. Kirkman, A.A.A.G., June 25, 1867, AC, Letters Received, 1866-1867, reel 7; Glenn R. Waters, et. al, to [Headquarters], June 1867, AC, Letters Received, 1866-1867, reel 9; Charles Dabian to Charles Garretson, A.A.A.G., July 9, 1867, AC, Letters Received, 1866-1867, reel 5; Special Orders, No. 85, August 7, 1867, AC, Issuances of Rosters and Personnel and Special Orders Received, October 1865-April 1869, reel 19.

antebellum.

As 1866 progressed and the Freedmen's Bureau expanded into the interior, Bureau men experienced greater resistance. Some looked to troops for assistance. Numerous requests for troops arrived at headquarters in Galveston. Kiddoo could do little for his subordinates but pass their requests on to military officials. The U.S. Army had entered the state with more than fifty thousand soldiers in June 1865, but the total number of men had dwindled to around five thousand a year later. Their numbers continued to fall as the muster out process progressed. Of those nearly five thousand soldiers in the state in June 1866, most served on the frontier and border with Mexico, leaving the interior thinly manned. In fact, most SACs rarely had more than a squad of uniformed infantrymen at their disposal. Louis W. Stevenson at Columbus best expressed the sentiments of many an agent who needed troops but never received them. "Orders without troops," he told Bureau officials, "are [not] better than troops without orders." Starting with Gregory and continuing with Kiddoo, Bureau heads in Texas requested help from the military only to be victims of circumstance, philosophy, and bureaucracy. At times, Kiddoo even begged for troops for his field agents. Subassistant commissioners, despite the short supply of troops and the agency's subordination to the military – something too often forgotten by critics of the Freedmen's Bureau – continued to press for protection.<sup>15</sup>

Even those Bureau men who did have troops soon discovered their limitations. Most soldiers in the interior came from infantry units. Unfortunately, their ability to lend protection to the loyal population and to punish law breakers was greatly limited. They lacked the means to combat outlaws on horseback. Cavalry were necessary to extend federal authority and chase

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<sup>15</sup> Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Richter, *Overreached on All Sides*, 40; Richter, *Army in Texas During Reconstruction*, 11-31; Robert W. Shook, "Federal Occupation and Administration of Texas, 1865-1870" (Ph. D. diss., North Texas State University, 1972), 218-219, 247; Pfanz, "Soldiering in the South During the Reconstruction Period," 10, 17-20.



down the many outlaws and gangs. Bureau agents throughout Texas and for the entire time the agency operated in the state frequently requested cavalry, only to be told they were unavailable, the SAC “must do the best he can with the troops [infantry] he has,” or cavalry “cannot be broken up into small detachments without special detriment to that arm of the service.” In short, cavalry proved a commodity in short supply away from the frontier, and, often times, the men in the field had to do without military support.<sup>16</sup>

U.S. soldiers, at times, could be more a hindrance than help for SACs whose main objective was to reestablish order (although this was the exception rather than the rule). At Millican, Edward Miller described to officials how worthless the soldiers were in his district. “[N]ot one of [them] is able to read or write English,” he noted, “and cannot therefore be employed to settle difficulties, which can only be decided by reading the contract.” F. B. Sturgis at La Grange had to divide his time between his subdistrict and San Antonio, because the soldiers at San Antonio do “not seem to know any thing about the Business of the Bureau.” At Crockett, a place regarded by some as one of the worst in Texas, L. S. Barnes worried about what would happen when the troops stationed at Crockett left. When they finally did leave, he constantly requested replacements, describing his inability to enforce his rulings. After repeated requests, military officials sent a few soldiers to Crockett, but Barnes believed they were

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<sup>16</sup> Endorsement of letter from Isaac M. Beebe, Marshall, to William H. Sinclair, A.A.G., May 26, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from L. S. Barnes, Crockett, to J. B. Kiddoo, August 7, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., May 8, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2. For a few examples of requests for cavalry, see Endorsement of letter from Thomas Bailey, Marshall, to William H. Sinclair, A.A.G., May 16, 1866, SAC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from J. B. Kiddoo to Maj. Gen. Absalom Baird, June 6, 1866, SAC, Endorsements Sent, April 1866-September 1867, reel 2; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; John Dix, Corpus Christi, to J. T. Kirkman, A.A.A.G., [August 1867], AC, Reports of Operations and Conditions, June-August, 1867, reel 21; T. M. K. Smith, Nacogdoches, to Charles Garretson, October, 5, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Hamilton C. Peterson, Lockhart, to J. P. Richardson, A.A.A.G., March 31, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; and David L. Montgomery, Tyler, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24.

“inferior.” In fact, one soldier did not know his unit “unless able to look at his cap.” The subassistant commissioner further added that one “man can be of no possible service but might do much injury.” With these men, Barnes admitted that he still could do little for the black and white communities. Barnes’ complaint, however, offended the soldiers’ commanding officer. Future Bureau agent L. H. Sanger defended his men’s character as very good and unquestioned, and reminded the Bureau man that his “order did not call for picked men.” As the dispute lingered on, Barnes became more frustrated by the whole process and wrote to Kiddoo that the lack of protection created havoc in his district. Frustrated, he asked to be mustered out. Instead, Kiddoo, most likely tired of his complaining and dissatisfaction, removed Barnes as an agent and sent him back to his regiment.<sup>17</sup>

At Marshall, Hiram Seymour Hall complained that the soldiers of the Illinois regiments had the “greatest hatred for the negroes, and scarcely a day passes [that] some outrage is [not] committed upon the inoffensive negroes by the soldiers.” In Harris County, a place never lacking troops, Byron Porter stated in the spring of 1866 that the number of complaints of assaults “was much less than in any of the previous months,” but in “most of the cases of assault U.S. soldiers were the assaulting parties.” James P. Butler spent as much time addressing

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<sup>17</sup> Edward Miller, Millican, to J. P. Richardson, A.A.A.G., November 27, 1867, AC, Letters Received, 1867-1869, reel 13; F. B. Sturgis, La Grange, to Henry A. Ellis, A.A.A.G., October 29, 1866, SAC, Letters Received, 1866-1867, reel 8; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., May 29, 1866, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., May 29, 1866, AC, Endorsements Sent: April 1866-September 1867, reel 2; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., August 7, 1866, AC, Endorsements Sent: April 1866-September 1867, reel 2; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., March 26, 1866, AC, Letters Received, 1866-1867, reel 4; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., April 25, 1866, AC, Letters Received, 1866-1867, reel 4; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., May 6, 1866, AC, Letters Received, 1866-1867, reel 4; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., September 1, 1866, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., August 9, 1866, AC, Endorsements Sent: April 1866-September 1867, reel 2; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., May 6, 1866, AC, Letters Received, 1866-1867, reel 4; L. S. Barnes, Crockett, to Henry A. Ellis, A.A.A.G., October 20, 1866, AC, Letters Received, 1866-1867, reel 4; Special Orders No. 134, November 9, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, September 1865-April 1869, reel 19. For another study that showed that U.S. troops could be liabilities at times, see Finley, *From Slavery to Uncertain Freedom*, 158-159.

freedmen's complaints in Brownsville about soldiers robbing them as he did addressing complaints against the local white populace. Edward Collins admitted that the assistance from two soldiers at Brenham was, at times, helpful, but decided against any further help from them, because they "lack the discretion necessary for the duty."<sup>18</sup>

Frank Holsinger and Ira P. Pedigo, at Beaumont and Woodville, respectively, each reported that the commander at Jasper whipped those freedmen who broke their contracts and returned them "to their former masters to be whipped for the offense of having applied to him for his interference in cases between them and their employers." The two Bureau men believed the officer's actions stemmed from his unhappiness with his new station and duties. "I have heard [Capt. E. Pratt] recently expressed himself in a manner unbecoming an officer and a gentleman," wrote Pedigo, "by saying that he was ordered to Jasper to assist the agent of the Freedmen's Bureau, but [Pratt] [would] be G-d d-d if he would do it." Captain Pratt denied the charges, claiming he always assisted SACs when asked to. The matter died with his denial, but the conflict underscored the occasional tension between subassistant commissioners and the military.<sup>19</sup>

Few examples better underscore the unnecessary problems that troops could cause for Bureau agents than the "Brenham Fire" in early September 1866. Only days after a dispute between D. L. McGary and Bureau agent Samuel A. Craig had been "resolved," one of the most famous – or infamous – incidents during Reconstruction occurred in Brenham. Details about

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<sup>18</sup> Hiram Seymour Hall, Marshall, to E. M. Gregory, December 26, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Byron Porter, Houston, to Chauncey C. Morse, A.A.A.G., March 3, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Edward Collins, Brenham, to [J. T. Kirkman, A.A.A.G.], June 30, 1867, AC, Letters Received, 1866-1867, reel 4; *Brownsville Ranchero*, November 13, 1866.

<sup>19</sup> Frank Holsinger, Beaumont, to William H. Sinclair, A.A.G., April 5, 1866, AC, Letters Received, 1866-1867, reel 6; Ira P. Pedigo, Woodville, to [E. M.] Gregory, March 1, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Capt. E. Pratt to D. S. Proudfit, A.A.A.G., Eastern District of Texas, April 7, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

what exactly happened remain sketchy, but whatever transpired left a U.S. soldier shot and portions of Brenham in ashes. Although three different inquiries into the matter found three different versions of what happened, the general story went that several soldiers got into a fracas with white citizens, who fired shots, which wounded one of the soldiers. Later on that night, believing their comrade mortally wounded, his fellow soldiers exacted revenge on the alleged perpetrator and his business by burning it, and the fire soon spread to other buildings in the city. In fact, one military historian called the soldiers' actions "among the worst cases of misconduct by troops during Reconstruction. . . ." Federal inquiries cleared the post commander and future Bureau agent, George W. Smith, of any wrongdoing. The Texas state legislature's inquiry, however, disagreed, and for months, state and local officials fruitlessly tried to bring him to "justice." Samuel A. Craig, despite his attempts to limit the damage and despite his later exoneration by all three inquiries, including the state legislature's, had an insufferable situation on his hands after the incident. The excited situation in Brenham, coupled with Craig's reputation as "the Brenham burner," combined to inhibit his ability to perform his duties effectively. With such a situation, officials at headquarters reassigned Craig to Seguin where, as earlier noted, the problems created by agent William Longworth awaited him. Soldiers causing problems for SACs continued throughout the Freedmen's Bureau's time in Texas. In the spring of 1868, for instance, then assistant commissioner J. J. Reynolds commented on the problem to Commissioner Howard. After many of the soldiers detached to Bureau agents had been withdrawn that, he admitted that some of the soldiers "did more harm than good."<sup>20</sup>

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<sup>20</sup> James E. Sefton, *The United States Army and Reconstruction, 1865-1877* (Baton Rouge: Louisiana State University Press, 1967), 95; Craig, "Memoirs," 85; William L. Richter, "The Brenham Fire of 1866: A Texas Reconstruction Atrocity," *Louisiana Studies* 14 (Fall 1975): 299-312; J. J. Reynolds to O. O. Howard, April 14, 1868, M752C, Letters Received, January-June, 1868, reel 56. For instances of U.S. troops unnecessarily causing problems for agents after 1866, see N. H. Randlett, Bryan, to J. P. Richardson, A.A.A.G., May 6, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Otto F. Steinberg, Columbia, to C. S. Roberts, A.A.A.G., October 15, 1868, SAC, Letters Sent and Register of Letters Received, October 1868, reel 21; and William H.

Despite such difficulties, field personnel desired the Army's help and presence. Some were willing to request any troops, including units that might threaten to exacerbate the problems in their subdistricts: black troops. White communities in Texas hardly countenanced the presence of black troops. "Be assured of one thing," wrote one white man to a newspaper in Galveston, "no Southern gentlemen will passively endure [that] insolence." Serving all of northeast Texas, an area very "unreconstructed," Hiram Seymour Hall naively believed "a body of 'colored troops' is precisely what is needed here." Before departing for his home in Illinois, having had his fair share of Texas for one lifetime, Oliver H. Swingley drove home his disgust with Texans: he wished "to see Col'd soldiers doing Provost [Marshall] duty in every town in the State." At Gonzales, Charles P. Russell understood white Texans' attitudes about black troops and warned against their deployment to his subdistrict, because "a great prejudice exists against [them]." In no uncertain terms, he reiterated how effective they would be if sent. "You might as well donate ten cents to the suffering poor of the cities [sic] of London and New York and say to them all 'go and want no more,'" Russell believed, "as to send twelve colored men here and say to the three or four loyal white citizens and all the freedmen of their section of the country, 'you shall be protected.'"<sup>21</sup>

At Victoria, Edward Miller nearly had a race war in his subdistrict. According to Miller, the "incident [in] which human life has been sacrificed" occurred when a local ruffian attacked and shot at a black soldier alone in town. Not seriously injured, the soldier returned to his camp

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Heistand, Hallettsville, to Commanding Officer, 35<sup>th</sup> U.S. Infantry, March 11, 1867, SAC, Letters Sent, May-June 1866 and October 1866-March 1868, reel 21.

<sup>21</sup> *Galveston Daily News*, June 9, 1865; Hiram Seymour Hall, Marshall, to E. M. Gregory, December 26, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Oliver H. Swingley, Austin, to E. M. Gregory, February 28, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Charles P. Russell, Gonzales, to [J. B. Kiddoo], August 14, 1866, AC, Letters Received, 1866-1867, reel 7; Sefton, *United States Army and Reconstruction*, 53; Ashcraft, "Texas, 1860-1866," 263; *Bellville Countryman*, August 18, 1865; *Galveston Weekly News*, January 31, 1866; David Work, "United States Colored Troops in Texas during Reconstruction, 1865-1867," *Southwestern Historical Quarterly* 109 (January 2006): 348-350.

and told his commander about the incident. Word about it spread quickly, and approximately thirty black soldiers “with their guns loaded and primed” headed to town. Not finding the would-be assassin, a few soldiers detained some white citizens, but later released them and returned to their camp. Before leaving, however, they threatened to burn the town down. With rumors swirling about a possible black riot and fire, the white Victorians were naturally on edge. The post commander intervened and helped to calm the situation. He forbade any of his men to leave camp without a pass and even authorized the citizen police patrol, which had only recently formed, to arrest any soldier in town without a pass.<sup>22</sup>

Later that night, the police patrol happened to find one black soldier (one of several who were out without a pass) and arrested him. When his fellow boys in blue returned to find their comrade being detained, they left for camp, but returned a few minutes later with more men. They surrounded the house where officials held the detained black soldier. As luck would have it, another patrol of white citizens happened on the scene. When the black soldiers attempted to ascertain their identity, the white patrol answered with gunshots. The soldiers responded in kind, killing one white man. Realizing that some men had left camp without permission, the post commander immediately hurried to town. Upon arriving, he quelled the situation by having the soldiers arrested and by placing sentries around the camp to prevent further problems.<sup>23</sup>

In addition to troops, Bureau men had other means to protect the freedpeople. They could put alleged offenders on trial. Through Bureau courts, as they came to be called, these men protected black equality before the law and legal rights. Bureau authorities believed that leaving “the Negro in the hands of Southern courts was impossible.” Although these courts

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<sup>22</sup> Edward Miller, Victoria, to Henry A. Ellis, A.A.A.G., December 16, 1866, AC, Letters Received, 1866-1867, reel 7; Endorsement of letter from Edward Miller, Victoria, to Henry A. Ellis, January 8, 1867, AC, April 1866-September 1867, reel 2.

<sup>23</sup> Ibid.

operated under Gregory, it was not until the second Freedmen's Bureau bill that they were specifically authorized. Bureau courts varied throughout the state according to the individual agent and circumstances in his district. In general, they comprised a subassistant commissioner, a freedmen's representative, and a planter's representative, but planters often refused to appoint a representative. When this happened, Bureau agents went ahead and rendered decisions on their own, dispensing with the freedmen's and planter's representatives. Upon a complaint, the SAC generally issued a letter for the defendant to appear in his office to answer the charge. Bureau court procedures most resembled that of a justice of the peace court, with witnesses and lawyers for each party. SACs could levy fines up to five hundred dollars (in later years not to exceed one thousand dollars) and impose short jail sentences. Punishment was at the agent's discretion. This resulted in an array of decisions, from dismissal for frivolity to promises from and advice to the parties, from leniency with paying the fines (according to the defendant's age, ability to pay, and attitude during the hearing) to agents' threats to the accused about consequences of nonpayment. Discretion also affected sentences, with some agents preferring fines, while others leaned toward jail sentences. For example, Samuel C. Sloan, unlike many other SACs, preferred to sentence guilty parties, both black and white, to jail sentences and hard labor. In short, Bureau men had "all the different powers of legislature and court . . . in one person, who was also the judge."<sup>24</sup>

Since Bureau headquarters at Washington and Galveston did not set down specific fines

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<sup>24</sup> W. E. B. DuBois, *The Souls of Black Folk* (New York: Penguin Books, 1969), 72; Tunnell, ed., *Carpetbagger from Vermont*, 92; Max Woodhull, A.A.G., to E. M. Gregory, November 24, 1865, M742C, Letters Sent, May 16-December 30, 1865, reel 1; *Statutes at Large*, 14:173-177; A. P. Ketchum, A.A.A.G., to [E. M. Gregory], September 19, 1865, AC, Letters Received, 1866-1867, reel 6; Max Woodhull, A.A.G., to E. M. Gregory, November 24, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; James Oakes, "A Failure of a Vision: The Collapse of the Freedmen's Bureau Courts," *Civil War History* 25 (March 1979): 69; Diane Neal and Thomas W. Kremm, "'What Shall We Do With the Negro?': The Freedmen's Bureau in Texas," *East Texas Historical Journal* 27 (Fall 1989): 25. For Samuel C. Sloan's punishment to offenders, see Bryan, SAC, Register of Complaints, 1866-1969, reel 14.

for offenses, field agents had much discretion in setting the amounts. In one case, for example, Stanton Weaver fined a white man in Crockett two dollars for slapping a freedman, believing the freedman was partly at fault for agitating the man. He fined another white man twenty dollars for striking, gouging, and throwing down a freedwoman. Weaver thought the fine should not be too excessive, since the woman had a reputation for being quite quarrelsome, a claim admitted to by the assaulted party. In another case, Weaver believed the limits set by superiors on fines to be too lenient. One man, known to be a “hard master,” was angered when a former slave left his plantation to find a “better home.” The former master found the freedman and “tied him and took him back to his farm where he gave him 150 lashes.” Appalled at this brutality, Weaver asked his superiors, “What shall I fine him? Would \$5000 or \$1000 be more than just?”<sup>25</sup>

SACs could not charge for adjudicating cases. All sentences could be appealed to the assistant commissioner, then to the commissioner, then to the secretary of war, and, finally, to the president. Despite an agent’s authority to “try” individuals, Commissioner Howard, prompted by the president’s policy and wishes, circumscribed the Freedmen’s Bureau’s judicial activities in 1866. Freedmen’s Bureau officials in Galveston “preferred” plaintiffs and defendants to work through the civil courts. They wanted their subordinates to “only interfere when injustice is done or in case the civil authorities refuse to recognize the right [specifically, black testimony] of the freedmen,” something officials in Texas generally refused to acknowledge because it paved the way for the former slaves to serve on juries, to vote, and “to be made socially and politically equal to whites.”<sup>26</sup>

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<sup>25</sup> Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., February 13, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

<sup>26</sup> Endorsement of letter from Chauncey C. Morse, A.A.A.G., to Byron Porter, Houston, January 26, 1866, AC, Endorsements Sent, September 1865-March 1867, reel 2; Nora Estelle Owens, “Presidential Reconstruction in Texas: A Case Study” (Ph. D., diss., Auburn University, 1983), 265; Endorsement of letter from J. Albert Saylor, Hallettsville, to William H. Sinclair, A.A.G., May 21, 1866, AC, Endorsements Sent, September 1865-March 1867,



Bureau courts were normally quite informal compared to civil courts. Otto F. Steinberg, for example, adjudicated a case in Gonzales that involved the brother of a deceased woman and her former husband. The brother claimed Primus Dickes, the husband of the deceased woman and father of their three children, had abused his sister while they were married. Furthermore, the brother accused him of abusing the children, even having a relationship with the oldest girl “in an unlawful and criminal manner.” Steinberg sent a letter to Dickes to appear in his office to answer the charges. After Dickes denied the charges, Steinberg ordered a hearing. Dickes, his accusers – including the dead woman’s mother – and the children, along with all the parties’ lawyers and witnesses were present. Steinberg allowed the accused to call witnesses (both on the alleged acts of cruelty and carnality and character) and then allowed the complainants time to call theirs. After their testimony, the agent cleared the room to personally interview the children and to examine their physical demeanor and appearance. Analyzing all the testimony and evidence, Steinberg brought all the parties back into his office and rendered his decision. “I reminded them this office could not be considered a court of law,” he stated,

that I was not governed by any state law, that their services in cases brought before me in this office were not essentially necessary and an unnecessary expense to the freedmen. That judicial cases brought before me would be transacted in such a way as to *bring the complaint and accused to mutual and satisfactory understanding* between the parties and that I would be guided in my decision principally by plain common sense and impartiality. [italics added] If any decision would not meet their approbation they were at liberty to bring an appeal and the decision would be given by a higher office.<sup>27</sup>

Many agents preferred to dispense with the proceedings. Instead, they hoped to “bring the complaint and accused to mutual and satisfactory understanding,” of in the words of Bureau historian Donald G. Nieman, Bureau agents wanted to prevent disputes from escalating. Agents

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reel 1; Fred W. Reinhard, Crockett, to [Headquarters], November 13, 1867, AC, Letters Received, 1867-1869, reel 15; Donald G. Nieman, *To Set the Law in Motion: The Freedmen’s Bureau and the Legal Rights of Blacks, 1865-1868* (Millwood: KTO Press, 1979), 5; Howard, *Autobiography*, 2:223.

<sup>27</sup> Samuel Spencer (fm) vs. Primus Dickes, October 3, 1868, SAC, Gonzales, Register of Complaints, October 1868, reel 21.

realized their limitations and allowed common sense and fairness to guide them, or as George C. Abbott wrote, “Do as [I] would have be done.” William H. Sinclair believed that a “sense of justice and equity between man and man” should guide subassistant commissioners. Mortimer H. Goddin wrote that “I must use considerable tact in adjudicating matters and keeping both black and white confined to justice and equity in getting along. . . .” William Garretson at Matagorda admitted that he gave judgments “as I think is in accordance with equity and the Civil Rights Bill.” Since many complaints were for small amounts, field personnel routinely “advised” or “talked to the parties,” hoping to solve the problem with no further action. “I have endeavored to collect the debts by getting the parties together and advising them,” wrote Abner Doubleday of baseball fame, “if necessary, to compromise in preference to going to the law.” Whenever possible, SACs also dismissed charges after promises from the accused to act better. Certainly problems developed from what some might call soft punishment, but this approach proved quite effective. For example, Samuel C. Sloan at Richmond made it his policy to focus less on the technical aspects of the case or contract and to be moved more by what he saw as equitable. In fact, he successfully settled seventy disputes “by force of personality alone, never assessing a fine” with apparent satisfaction to all. Sloan’s actions were probably too successful in securing justice to all, for some planters, who hoped to get the Bureau man removed from their presence, accused him of bribery, a charge Bureau officials investigated and dismissed. As historian Sara Rapport noted about the Bureau’s legal role, agents mattered, not issues.<sup>28</sup>

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<sup>28</sup> Abner Doubleday, Galveston, to J. T. Kirkman, A.A.A.G., March 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; George C. Abbott, Hempstead, to E. M. Gregory, November 23, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., October 7, 1866, AC, Letters Received, 1866-1867, reel 8; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., July 20, 1866, AC, Letters Received, 1866-1867, reel 5; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Nieman, *To Set the Law in Motion*, 173; Richter, *Overreached on All Sides*, 137; Sara Rapport, “The Freedmen’s Bureau as a Legal Agent for Black Men and Women in Georgia, 1865-1868,” *Georgia Historical Quarterly* 73 (Spring 1989): 26-29.

Bureau men had jurisdiction to investigate any case that involved a freedperson. Cases, however, were to be limited to minor disagreements, or what historian Martin Abbott calls “small quarrels and petty disputes.” Officials in Galveston worried that subordinates lacked the necessary legal training to try more serious offenses like grand larceny, burglary, arson, rape, assault with intent to kill, and murder; nonetheless, on a few rare occasions, Bureau men did punish whites for attempted rape and murder, and in later years, agents could arrest offenders accused of felonies, but they would then have to release them to military officials. (In later years, Bureau officials in Texas acknowledged the benefit of legal training and pushed for men who were state judges, asking prospective appointees if they would be willing to retain their judicial positions while serving as subassistant commissioners.) Cases ranged from the serious to the frivolous, involved acts in the workplace, public sphere, and the home, and even extended to what people had said. Bureau men could punish individuals for derogatory, slanderous, inflammatory speech and editorials. Most cases could be divided into three categories: contract violations (on the part of whites or freedmen), denial of parental rights, and minor assaults. This breakdown continued until early 1867, when Assistant Commissioner Charles Griffin limited Bureau courts to disputes and settlements arising from labor contracts, with all others transferred to the civil courts. Until then, however, Bureau men could try all cases that dealt with wages due workers, enforcement of contract, and assaults and minor infractions by whites against freedpeople.<sup>29</sup>

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<sup>29</sup> Abbott, *Freedmen's Bureau in South Carolina*, 105; Eliza (fw) vs. John Pulty (fm), June 14, 1867, Bryan, SAC, Register of Complaints, 1866-1868, reel 14; J. J. Reynolds to A. Bledsoe, April 20, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. P. Richardson, A.A.A.G., to F. P. Wood, Brenham, March 18, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; General Orders, No. 5, February 2, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1866-April 1869, reel 19; Charles Griffin to O. O. Howard, July 1, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Endorsement of letter from N. H. Randlett, Courtney, to William H. Sinclair, A.A.G., August 8, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Nieman, *To Set the Law in Motion*, 9.

Most of the cases Bureau agents tried dealt primarily with contract disputes and wages. If he found an employer guilty of nonpayment, a Bureau agent generally ordered him to pay his laborers. To enforce this, the SAC could place a lien against the crop to “insure” payment or confiscate personal property for sale to pay the owed wages. This, however, did not always guarantee payment. Planters could still circumvent these decisions. Both uncooperative local officials and the lack of troops in the immediate vicinity to help enforce decisions contributed to white noncompliance. “Give me Military backing and I can get along well,” Charles Haughn wrote to superiors. “Without troops I can only settle claims referred to me by both parties. Those who wish to cheat the [freedmen] will not come before me . . . .” Nesbit B. Jenkins at Wharton stated that “the apathy of the civil authorities and the want of power to enforce any order or decision I may give constitute my chief difficulty.” Furthermore, compliance rested a great deal on the offending party’s faith, desire, and capability to “do the right thing.” Bureau men often had to use practical arguments to increase the chance of compliance. “A failure to comply with the above [decision],” wrote John F. Stokes at Columbia, “will cause more inconvenience than so simple a matter would warrant.”<sup>30</sup>

Freedwoman Emma Hartfield lived with Lacy McKenzie, a white man, who promised her a house and a lot. For more than a year, she lived with him and was pregnant with his child. McKenzie wanted her to have an abortion, but she refused. He then threatened to go back on his previous promise to her. Hartfield complained to Byron Porter, the agent who investigated the

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<sup>30</sup> Charles Haughn, Waco, to J. P. Richardson, A.A.A.G., April 4, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Nesbit B. Jenkins, Wharton, to J. P. Richardson, A.A.A.G., March 31, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; John F. Stokes, Columbia, to W. L. Perry, May 21, 1867, SAC, Letters Sent and Registers of Letters Received with Endorsements, April 1867-November 1868, reel 15. For examples of case breakdowns for Bureau agents, see records for the subdistricts of Liberty, August 1866 to December 1868, and Marshall, November 1868 to December 1868: 74 for contract; 8 for stealing and loss of property; 15 for assaults and batteries; and 9 cases for other in Liberty. For Marshall it was: 65 for contract; 5 loss of property; 13 for assault and theft; 4 threats; and 3 cases under other (See Liberty, SAC, Register of Complaints, August 1866-December 1868, reel 23 and Marshall, SAC, Register of Complaints, February 1866-November 1867, reel 24).

claim and found it credible. Porter realized the extent to which he could force McKenzie to fulfill his promise to Hartfield. "I am to try & frighten [McKenzie] into a settlement," he wrote to his superiors. Patrick F. Duggan also wrote to one white man that failure "on your part to return the property may cause you more trouble than the [property] would be worth." J. P. Richardson informed headquarters officials that his problem with judicial matters in the state capital was not trying and convicting individuals but the "authority to enforce a decision after it is given." Henry Sweeney at Jefferson, Marion County, requested "one man be detailed to report to me daily," for it is "impossible for me to compel the attention of parties who are summoned to appear at this office." He continued, "I am compelled to make this application, for without such assistance, I am comparatively powerless in many cases." In Liberty County, A. H. Mayer discovered the fundamental problem for all subassistant commissioners in Texas after they rendered a decision. "I have issued an attachment [lien] against the present crop," he stated, but if "the party refuses to deliver I do not see how I am to enforce my action." In short, the SAC continued, "I . . . send an order, if he chooses to come, he does, if he has been guilty of anything serious . . . & finds out the complaint has been made he gets on his horse & rids off." Mine in the field had to rely more on persuasion and fear of punishment than the actual punishment, to increase the chances that whites would comply with their decisions. Thus, these men knew their justice would ultimately be tempered. "I do not infer from this that I shall always be able to give satisfaction and do justice at the same time," admitted George C. Abbott, "for I believe that there are people in this county who if they had their just desserts would be extremely dissatisfied with the verdict."<sup>31</sup>

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<sup>31</sup> Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., June 24, 1867, SAC, Letters Sent and Registers of Letters Received with Endorsements, April 1867-November 1868, reel 15; J. P. Richardson, ASAC, Austin, to J. T. Kirkman, A.A.A.G., March 31, 1867, SAC, Letters Sent, October 1866-May 1867, reel 12; Henry Sweeney, Jefferson, to Post Adjutant, Post of Jefferson, December 14, 1868, SAC, Letters Sent, October-December

When civil courts settled cases that involved freedmen, subassistant commissioners continued to extend their protection. Bureau officials authorized Bureau agents to oversee civil proceedings to ensure their impartiality. So long as civil courts admitted freedmen testimony and civil authorities rendered color blind justice, agents were not to interfere. In addition, they were to provide legal guidance to freedpeople who were to be tried in a civil court. A. H. Mayer believed it difficult for the former slaves in Liberty to obtain legal counsel at all times and recommended that a resident attorney be appointed in each subdistrict to appear in each case when a freedperson was a party. George C. Abbott noticed that many former bondsmen were unable to afford legal counsel, and he routinely acted as their legal representative for free. If a freedperson did not receive justice or a white person had not been punished by civil courts for an act against a black person, field agents could abrogate the decision and retry the individual. Since Bureau courts operated under martial law, constitutional questions of double jeopardy did not apply. In response to such moves by SACs, however, civil officers and white citizens criticized Bureau courts, calling them unconstitutional and believing them a travesty of justice and biased against whites. In later years, as Bureau and military authorities transferred more and more responsibility to civil administrators, Bureau courts became less and less prevalent. As a result, Bureau agents became more supervisor than adjudicator. This shift came about in early 1867 and slowly continued throughout the year. In the meantime, these men adjudicated cases amidst much debate about the constitutionality of the Bureau courts and criticism about their

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1868, reel 23; A. H. Mayer, Liberty, to Henry A. Ellis, A.A.A.G., September 30, 1866, AC, Letters Received, 1866-1867, reel 7; A. H. Mayer, Liberty, to Charles Garretson, A.A.A.G., October 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; George C. Abbott, Hempstead, to [E. M. Gregory], October 25, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Emma Hartfield (fw) vs. Lacy McKenzie, June 4, 1867, Austin, SAC, Register of Complaints, June 1867-December 1868, reel 12.

existence.<sup>32</sup>

Officials in the Bureau were ambivalent about circumventing local civil courts, wanting to secure “the co-operation of the civil authorities.” They preferred cases to be tried in civil courts until civil authorities forced their hands. When that happened, Bureau men were to abrogate the civil court’s decision and retry the individual. If the local authorities protested and tried to interfere, they were not to “pay any attention [to anything from them] that interferes with your job.” Field agents had to decide whether local officials had been partial or unfair toward black defendants and plaintiffs. But a policy founded on “one’s best judgment” only caused many more letters to Bureau headquarters for concurrence in one’s decision. “I therefore feel a delicacy in acting on these complaints,” admitted Jacob C. DeGress, as he expressed the feelings that many other subassistant commissioners certainly had, “unless I will be sustained by you in my action.”<sup>33</sup>

A few local administrations tolerated this federal intervention in local affairs. The SACs in Clinton and Victoria informed Inspector William H. Sinclair that local officials in both their subdistricts had been cooperating with them. Sinclair stated that these local officials “never try cases in which freedpeople are concerned without the permission of the agents and having them

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<sup>32</sup> A. H. Mayer, Liberty, to J. B. Kiddoo, January 9, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; George C. Abbott, Hempstead, to Chauncey C. Morse, A.A.A.G., February 19, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from Isaac Johnson, La Grange, to William H. Sinclair, A.A.G., July 28, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Wallace, *Texas in Turmoil*, 157-158; Charles W. Ramsdell, *Reconstruction in Texas* (Austin: University of Texas Press, 1910), 76-77; E. Merton Coulter, *Georgia: A Short History* (Chapel Hill: University of North Carolina Press, 1947), 349-350

<sup>33</sup> Owens, “Presidential Reconstruction,” 270; Max Woodhull, A.A.G., to E. M. Gregory, November 24, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., June 3, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from H. W. Allen, Hempstead, to William H. Sinclair, A.A.G., June 2, 1866, AC, Endorsements Sent, September 1865-March 1868, reel 2; Hardin Hart, Greenville, to A. H. M. Taylor, A.A.A.G., May 31, 1866, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., November 19, 1866, AC, Letters Received, 1866-1867, reel 5; *Joint Committee on Reconstruction*, 39<sup>th</sup> Congress, 1<sup>st</sup> Session, 146; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 21, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

present” and that there existed no “clashing between the officers of the civil law and the agents.” In these two districts, the agents of the Bureau and local authorities coexisted on the “most friendly terms and cooperate[d] with one another.” These examples proved to be exceptions, for throughout most of the state, local authorities resisted the agency’s interference. “It [was] generally understood that it was my intention to release (by force if necessary) all [controversial] cases from duress and examine into the facts myself,” wrote Samuel C. Sloan at Richmond. “The counsel for the defense shrewdly took advantage of it as an argument before the jury & the consequence was that no freedman was sentenced to imprisonment . . . I have every reason to believe that such action on the part of the officers of the Bureau is absolutely necessary to insure the freedmen any justice before the civil authorities.” J. Ernest Goodman conflicted with civil authorities in Colorado County. They continuously indicted and arrested one freedman only to have Goodman intervene each time to have him released. Civil authorities rewarded Goodman’s “good deed” with an indictment of his own, which Bureau and military officials simply ignored.<sup>34</sup>

Jacob C. DeGress, who on several occasions interfered with civil proceedings when he believed them in violation of the law, ordered one military officer to observe a court’s proceedings of a white man charged with assaulting a freedman, and “if the proceedings do in any way conflict with the Civil Rights Act or Freedmen’s Bureau [Bill], you will please interfere and have the proceedings stopped until you can right this offense.” L. S. Barnes wrote that local courts in his subdistrict “punish [freedmen] by the law but do not protect them.” In Crockett, Stanton Weaver believed his presence necessary to prompt local authorities “to bring the matters

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<sup>34</sup> William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., June 30, 1866, AC, Letters Received, 1866-1867, reel 8; Rapport, “Freedmen’s Bureau as a Legal Agent,” 46. For the cases involving J. Ernest Goodman, see Colorado County District Court Records, Criminal Cause File Nos. 570, 591, 603, and 611, Criminal Minute Book D., Colorado County Courthouse, Colorado County, Texas, pp. 114, 126, 185, 226.



before the courts.” Weaver had to deal with court officials who “act and talk as if I were only tolerated by them in trying cases.” By claiming Bureau courts were military courts, he wrote, local authorities believed that “they can take any case out of my hands by a writ of *habeas corpus* – that ‘*the military must yield to the civil under all circumstances.*’” Officials at headquarters generally answered questions about civil jurisdiction by reminding their subordinates they “have nothing to do with you, and you must not pay any attention to any action they may take to interfere with you, and the discharge of your duties. . . .” Weaver arrested and fined a white man for brutally treating a freedwoman. For his troubles, local authorities indicted him and ordered his arrest. Weaver, however, was not worried. “In all their actions concerning the Bureau,” he wrote, “they illustrate perfectly the fable of the ‘mountain which labored and shook like an earthquake, and produced *a mouse.*’”<sup>35</sup>

As local officials resisted and refused to administer justice to the former slaves, Bureau agents looked to Bureau and military officers for redress. Two possible remedies came with General Ulysses S. Grant’s General Orders No. 44 and the recently passed Civil Rights Act of 1866. The former authorized the military to arrest civilians accused of violence against United States personnel and its inhabitants when civil authorities neglected to bring such individuals to trial. Once in custody, the military could hold them until civil authorities were willing or capable to try them. The Civil Rights Act of 1866 guaranteed the former slaves equality before the law. It required states to grant to its black citizens the same rights granted to its white citizens. Those

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<sup>35</sup> Jacob C. DeGress, Houston, to Captain Higgins, December 31, 1867, SAC, Letters Sent, November 1867-August 1868, reel 21; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., September 11, 1866, AC, Letters Received, 1866-1867, reel 4; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., February 21, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Jacob C. DeGress, Houston, to Edwin M. Stanton, Secretary of War, December 26, 1866, SAC, Letters Sent October 1865-January 1867, reel 21; Telegram from Edwin M. Stanton, Secretary of War, to Jacob C. DeGress, Houston, December 27, 1866, SAC, Letters Sent, October 1865-January 1867, reel 21; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., February 28, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

accused of violating the bill's provisions would be tried in federal, not state, courts.

Enforcement was left to federal officials, including subassistant commissioners, to arrest anyone suspected of violating the act.<sup>36</sup>

These measures were hardly a panacea. Both G. O. No. 44 and the Civil Rights Act were never the cure-alls Bureau personnel hoped for. Grant's order allowed Bureau agents to make arrests, but that was possible only with troops, which by 1866 were being greatly reduced in number or reassigned to the frontier. Also, so long as General Orders No. 26, which required the military to transfer all citizens they arrested to the civil authorities for trial if the civil tribunals were up and functioning, was believed to apply to Texas, Grant's G. O. No. 44 was only a "stopgap" measure. Jacob C. DeGress, for example, complained that whites in southeastern Texas thought G. O. No. 44 had been revoked. Therefore, they have "become defiant or something to that effect [and are] refusing to acknowledge the authority or power of this Bureau to arrest parties for abusing negroes or ordering [white employers] to make settlements . . . There seems to be a general system of whipping and abusing freedmen as the Planters say 'because they can,' that the Military are now subordinate to the civil authorities, and that the Freedmen's Bureau nuisance is done away with." According to historian Donald G. Nieman, the Civil Rights Act of 1866 also had limitations. Bureau and military officials, aware of the president's desire to transfer to the civil authorities jurisdiction for protecting the freedmen's legal rights, failed to coordinate a uniform policy to protect the former slaves. As a result, individual SACs ultimately determined if and when the local officials violated the bill. This created an inconsistent and tempered policy, for, depending on the individual, the civil rights bill could be interpreted in varying ways. Indifference and hostility from certain politicians in Washington and from some

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<sup>36</sup> Nieman, *To Set the Law in Motion*, 141-143; *Statutes at Large*, 14:27-30; Cimbala and Miller, eds., *Freedmen's Bureau and Reconstruction*, 17.

military officials and the difficulty in obtaining convictions against state officials in federal court further undermined the bill's effective use by Bureau agents to enforce civil rights and equality before the law for the freed community.<sup>37</sup>

Despite these limitations, G. O. No. 44 and the Civil Rights Act of 1866 were still “extraordinary assertions of national power” for their time. Nevertheless, the Freedmen’s Bureau still assumed that states eventually would “resume principal responsibility for civil rights protection,” even though state courts were generally unfavorable toward the freedmen. Judicial actions by Bureau agents drew much criticism from state and federal officials, most notably Governor Throckmorton and President Johnson. Since the first Bureau bill never specifically authorized Bureau courts, Freedmen’s Bureau officials had to depend on President Johnson’s authority to try cases. He placed great limitations on the agency’s judicial authority and pressured Bureau officials to transfer jurisdiction to civil courts as quickly as possible. In spite of this, Bureau officials in Texas had greater “leeway” than in other states, for the state legislature still had not completed the president’s Reconstruction plan. But the president still impeded their efforts to protect the freedmen with Bureau courts, through his “Peace Proclamations,” G. O. No. 26, or his insistence upon the Supreme Court’s ruling that citizens must be tried in civil courts if the courts were up and running. “[I]nadequacy was due primarily to the virtually insurmountable practical obstacles to civil rights enforcement,” noted Reconstruction legal historian Robert J. Kaczorowski, and “political considerations rather than the inadequacy of legal authority prevented more effective civil rights enforcement by the

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<sup>37</sup> Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., December 4, 1866, AC, Letters Received, 1866-1867, reel 5; Nieman, *To Set the Law in Motion*, 117, 136-137, 142-144; J. B. Kiddoo to O. O. Howard, May 23, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Low, “Freedmen’s Bureau and Civil Rights in Maryland,” 239; Endorsement of letter from Edward Miller, Victoria, to S. H. Lathrop, A.A.A.G., December 6, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

Bureau.”<sup>38</sup>

With so many orders and proclamations that seemed to conflict with one another issued from Washington, Galveston, and New Orleans, naturally, confusion was created for some field personnel. “Agents are placed in a very unpleasant situation so far as their duties and jurisdiction are concerned,” reported Inspector William H. Sinclair. The “agents are afraid to act as heretofore owing to the existing proclamation and orders. Their duties are too poorly defined and their powers are not understood either by themselves or the citizens.” The main cause for this confusion stemmed from the uncertainty whether General Orders No. 26 applied to Texas (since the state legislature had yet to complete the president’s Reconstruction plan). As noted, if it did, Bureau agents would have to transfer cases to civil courts. Kiddoo asked the military commander at New Orleans for the answer. The Texas district commander, Brevet Major General Horatio G. Wright, believed the order did apply, since the president had declared the rebellion over earlier that spring and civil courts were in operation in the Texas. Thus, he informed Kiddoo that Bureau courts would no longer be permitted. A worried Kiddoo, who believed “civil courts *worse than a farce*,” disagreed with his superior, reminding Wright that the Texas state legislature had not fully complied with the president’s Reconstruction plan. With

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<sup>38</sup> Belz, *A New Birth of Freedom*, 158; Robert J. Kaczorowski, *The Politics of Judicial Interpretation: The Federal Courts, Department of Justice and Civil Rights, 1866-1876* (New York: Oceana Publications, Inc., 1985), 27, 36, 117-119; Nieman, *To Set the Law in Motion*, 105; Foner, *Reconstruction*, 149; Donald G. Nieman, “The Freedmen’s Bureau and the Mississippi Black Code,” *Journal of Mississippi History* 40 (May 1978): 92; Cohen-Lack, “Struggle for Sovereignty,” 81-82; David J. Flanigan, “The Criminal Law of Slavery and Freedom, 1800-1868” (Ph. D. diss., Rice University, 1973), 399-400; Richardson, ed., *Compilation of the Messages and Papers of the Presidents*, 6:429-431, 434-438. For works on the belief that states rather than the federal government were to protect civil rights, see Robert J. Kaczorowski, “To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War,” *American Historical Review* 92 (February 1987): 45-68; Charles Fairman, *Reconstruction and Reunion, 1864-1868* (New York: The Macmillan Company, 1971), 1228-1229; Harold Hyman, *A More Perfect Union: The Impact of the Civil War and Reconstruction on the Constitution* (New York: Alfred K. Knopf, 1973); Michael Les Benedict, *A Compromise of Principle: Congressional Republicans and Reconstruction* (New York: W.W. Norton & Company, 1974), 27, 41, 48, 56-69, 122-126, 147-149, 170; Michael Les Benedict, “Preserving the Constitution: The Conservative Basis of Radical Reconstruction,” *Journal of American History* 61 (June 1974): 65-90; Phillip S. Paludan, *A Covenant with Death: The Constitution, Law, and Equality in the Civil War Era* (Urbana: University of Illinois Press, 1975), 58, 261, 274-275.

conflicting answers, Kiddoo wrote to Commissioner Howard to ask if G. O. No. 26 applied to Texas. He wanted to know if Wright had made a mistake by not exempting the Lone Star State. Much to the assistant commissioner's chagrin, Howard wrote to Kiddoo to tell him that the order applied to Texas "as well as anywhere else, if the Civil tribunals are in operation." Meanwhile, Wright, wanting to be sure the order applied to Texas, had contacted his superiors at the War Department. From his conversation with them, Wright issued a new order that repealed No. 26 within Texas but only until the state legislature completed the president's Reconstruction program. Once the Texas legislature had completed the requirements laid down by President Johnson, however, the order would be in effect.<sup>39</sup>

In the late summer of 1866 the Texas legislature "completed" the requirements set down by Johnson's Reconstruction Plan and elected a new state government. The freedmen would now have to find redress in the civil courts, which, for the most part, were not favorable to them. Bureau agents reported numerous instances of civil authorities who "punished [freedmen] by their law but do not protect them." When all appeared lost for the organization's ability to protect the freedmen, a confidential letter from Commissioner Howard arrived at Kiddoo's headquarters in Galveston. Howard instructed Kiddoo not to publish the letter's content. Instead, he was to use the letter's contents as a framework to reestablish Bureau courts if necessary. Howard wanted Kiddoo to send a copy to each field agent. In places where Bureau courts had been abolished, the instructions were to be disregarded; but where they still operated, Bureau agents were to use this framework as an outline for their judicial operations. To Kiddoo,

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<sup>39</sup> William H. Sinclair, Inspector, to J. B. Kiddoo, December 23, 1866, AC, Letters Received, 1866-1867, reel 8; J. B. Kiddoo to O. O. Howard June 26, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; J. B. Kiddoo to O. O. Howard, May 26, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; A. P. Ketchum, A.A.A.G., to J. B. Kiddoo, June 7, 1866, M742C, Letters Sent, January 1-December 19, 1866, reel 2; Telegram from O. O. Howard to J. B. Kiddoo, July 10, 1866, AC, Letters Received, 1866-1867, reel 6.

the commissioner's instructions were not as important as the letter's implied message: for the time being, Bureau courts and agents' judicial responsibilities would remain in effect in Texas.<sup>40</sup>

Those judicial responsibilities covered more than just contract disputes and oversight of the civil courts. Those duties went beyond being a prosecutor and criminal judge. Sometimes a subassistant commissioner had to be probate judge. J. W. McConaughey, for example, investigated several complaints of nonpayment of wages by planters to freedmen. He discovered the employer had died before he could pay his workers. The deceased man's relatives argued that the man's death had nullified his contracts, and thus they refused to pay the black workers. Unsure about what to do, McConaughey inquired at headquarters in Galveston for advice. Bureau officials directed him to "seize and hold any personal property you can get that belongs to the employer." McConaughey then "adopt[ed] the most sum[m]ary way possible to collect the property of the employers [sic] debts to freedmen."<sup>41</sup>

The situation created by congressional statutes, presidential proclamations, and military general orders caused many field agents to be confused and uncertain about their jurisdiction and authority. They flooded headquarters with points to be clarified. Bureau authorities tried to remedy the confusion. But for men with little legal training, confusion still remained. At times, Kiddoo was bewildered and even high-ranking military officers like Grant were confused at what applied and what did not. Stanton Weaver wanted to know if Bureau courts constituted "military courts, or are they special tribunals having authority to overrule and annul decisions of any other court organized under State authority." Simply put, he added, "I want to know how to act under

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<sup>40</sup> L. S. Barnes, Crockett, to AAAG, September 11, 1866, AC, Letters Received, 1866-1867, reel 4; A. P. Ketchum, A.A.A.G., to J. B. Kiddoo, September 19, 1866, AC, Letters Received, 1866-1867, reel 6.

<sup>41</sup> Endorsement of letter from J. W. McConaughey, Richmond, to Chauncey C. Morse, A.A.A.G., February 15, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2. For another case where a Bureau agent had to act like a probate judge, see A. H. Mayer, Liberty, to J. P. Richardson, A.A.A.G., February 18, 1868, AC, Letters Received, 1867-1869, reel 13.

certain circumstances. . . .” In La Grange, Isaac Johnson wanted to know if he could intervene in a civil court decision that unjustly fined and imprisoned an innocent freedman. “[I have] positive proof,” Johnson wrote, “that freedmen have been fined and imprisoned for offenses of which they are innocent, can I demand of the civil authorities that such fines be refunded, or that such prisoners be released.” J. W. McConaughey asked if he was to allow the state’s law to take its course “to final trial of conviction or acquittal” of a white defendant and black plaintiff. If so, what if the court found the white man not guilty through a fair trial by jury, he asked. “[W]ill [the Bureau] regard that as a finality? or would they claim the right to again arrest, try and punish?” Edwin Turnock at Centreville wanted to know “the extent of fines and punishment that might be inflicted . . . and the offences for which they might be inflicted.” J. Ernest Goodman at Columbus needed to know whether he had the right to try cases of white men assaulting black women. Part of the confusion stemmed from the failure by Bureau authorities to specify each agent’s subdistrict boundaries. This circumstance caused conflicts between SACs who claimed a case fell within another’s district and therefore refused to investigate. Officials at headquarters reprimanded a few agents for not trying “all cases you can reach.”<sup>42</sup>

Some field agents, however, looked not to superiors but Unionist judges and lawyers for

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<sup>42</sup> Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., February 21, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from Isaac Johnson, La Grange, to William H. Sinclair, A.A.G., September 6, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; J. W. McConaughey, Richmond, to William H. Sinclair, A.A.G., November 13, 1866, AC, Letters Received, 1866-1867, reel 7; Edwin Turnock, Centreville, to J. P. Richardson, A.A.A.G., March 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Endorsement of letter from A. H. Mayer, Liberty, to Henry A. Ellis, A.A.A.G., September 11, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; O. O. Howard to [Assistant Commissioners], September 6, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; J. B. Kiddoo to O. O. Howard, June 26, 1866, M752C, Letters Received, May-August, 1866, reel 36; J. Ernest Goodman, Columbus, to William H. Sinclair, A.A.A.G., May 22, 1866, SAC, Letters Sent, April-July and November 1866, reel 16; Cimbala and Miller, eds., *Freedmen’s Bureau and Reconstruction*, 17-21; Endorsement of letter from Champ Carter, Sterling, to William H. Sinclair, A.A.G., June 2, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2. For other instances when agents appeared confused about their judicial jurisdiction, see Endorsement of letter from Samuel C. Sloan, Richmond, to William H. Sinclair, A.A.G., May 22, 1866, AC; Endorsement of letter from J. Ernest Goodman, Columbus, to William H. Sinclair, A.A.G., May 22, 1866, AC; Endorsement of letter from Samuel A. Craig, Brenham, to William H. Sinclair, A.A.G., May 26, 1866, AC (all in Endorsements Sent, April 1866-September 1867, reel 2).

assistance. Otto F. Steinberg at Gonzales realized his limitations and the problems of having to rely on those headquarters for information, considering the time it took answers to arrive and the unreliable mail service in Texas. David S. Beath at Bastrop was assisted by a Unionist attorney. For his efforts, the attorney was actually “shot by another attorney for prosecuting a white man for assault and battery.” Beath sadly informed superiors that “this is the actual situation of the courts in Bastrop County.” Instead, on the recommendation of Inspector William H. Sinclair, who partly for convenience and partly for efficiency, recommended civilian judges to SACs for consultation, Steinberg consulted with loyal judges in his district anytime he “required legal advice.” This was nothing new for the organization, and it was not unique to Texas. As early as 1865, Commissioner Howard desired a subassistant commissioner with judicial and legal training, and Wager Swayne, the assistant commissioner in Alabama, desired the same in his subordinates. This plan, which had many advantages for the Freedmen’s Bureau, was only as good – or loyal – as the judge who was recommended for consultation. Any claims that this policy might have undermined equality before the law would probably be unfounded, for no complaints from Bureau men, Bureau inspectors, white Unionists, or freedmen have been found in the Bureau records to substantiate such claims. The evidence suggests that judges guided those agents who called on them in a sound and prudent way.<sup>43</sup>

Claims that a few Bureau men abused their judicial powers, on the other hand, can be supported by the records. Rather than use their authority to protect the former slaves, these agents used it as a tool for oppression, spitefulness, and “revenue enhancement.” Many freedmen, for example, complained to Bureau officials about J. Albert Saylor, the VRC officer

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<sup>43</sup> David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., December, 21, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Otto F. Steinberg, Gonzales, to C. S. Roberts, A.A.A.G., October 15, 1868, AC, Letters Received, 1867-1869, reel 15; William S. McFeely, “The Freedmen’s Bureau: A Study in Betrayal” (Ph. D. diss., Yale University, 1966), 255; Nieman, *To Set the Law in Motion*, 17.



and SAC at Hallettsville. Kiddoo sent an inspector to investigate. William H. Sinclair found that Saylor prohibited freedmen from carry firearms, singled them out for fines and pocketed the money, resisted fining whites for infractions against freedmen, mingled with unsavory women, and used coercive measures to punish the freedpeople for violating their contracts. When confronted about why he fined the former bondsmen for carrying firearms, Saylor responded that “he was hard up and had no money to pay his board.” In short, he was in “the most intimate terms with the worst rebels.” Sinclair also discovered that the freedpeople lacked confidence in Saylor, considering him “entirely useless as a protector,” since his Bureau court decisions “are almost universally against the freedmen.” Sinclair admitted that he could find nothing good to say about the man’s performance. After learning about Saylor and his general “malfeasance,” Kiddoo remarked to Commissioner Howard that this SAC had “demeaned himself” and relieved him from any further service with the agency. He would later be suspected of robbing a hotel room in Galveston and arrested. He was released, however, as there was little evidence to hold Saylor for the crime.<sup>44</sup>

Fairness, justice, and “judgement [sic] according to what [they] conceive to be right” guided most subassistant commissioners. Since each man had great discretion for interpretation, there never existed uniformity in the Bureau’s legal procedures throughout Texas. Agents hoped to create a “mutual and satisfactory understanding between the parties” with their decisions. Whites saw almost any decision favorable to the freedmen as prejudicial and outrageous, no

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<sup>44</sup> William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., September 22, 1866, SAC, Letters Received, 1866-1867, reel 8; Endorsement of letter from J. Albert Saylor to Henry A. Ellis, A.A.A.G., November 8, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; John Hanson to [J. B.] Kiddoo, August 22, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 68, April 25, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Endorsement of letter from J. Albert Saylor, Hallettsville, to J. B. Kiddoo, October 10, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from J. Albert Saylor, Galveston, to Henry A. Ellis, A.A.A.G., October 29, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Special Orders No. 132, November 6, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

matter how much the SACs tried to make the proceedings as fair and honest as possible.

According to Nesbit B. Jenkins at Wharton, he “never in any case gives Judgment in favor of a Plaintiff until the Defendant has been cited to appear and has had ample means and time allowed him in which to prove his non-indebtedness or Justify his proceedings.” Samuel A. Craig remembered that “I held many Justice of the Peace positions, and heard the complaints of both sides, I had a hard time convincing the white employers that even if the negro did not work, it was no cause for his beating and assaulting him, and a fine of ten or twenty dollars could make them hot and felt that my judgment was ‘prejudiced,’ ‘outrageous’ etc.” Freedpeople, however, greatly valued what Bureau agents did for them, evidenced by the numerous cases brought before them for adjudication. The former slaves appreciated these courts, no matter the outcome, for these proceedings “challenged the racial beliefs in the South and imparted some sense [that] the black person now was a citizen.” Bureau men, through their actions and words, helped establish the former slaves as the newest citizens. Jacob C. DeGress and George C. Abbott, for example, referred to the freedmen as “citizens,” long before Congress defined them as such. Oliver H. Swingley implied the same when he stated that the “negro is free and entitled to the same protection . . . as the white man.” Nonetheless, despite what these men did for the black community, some historians have criticized agents and their use of Bureau courts. “[N]othing more clearly demonstrates the tragic failure of the Freedmen’s Bureau than its ultimately futile efforts to establish equal justice in the South,” wrote Bureau court historian James Oakes. These historians argue that SACs were too conservative in their defense of black rights and punishment of white perpetrators and Bureau courts were too short lived to be effective. In essence, Bureau agents’ attempts to ensure equality, according to these critics, turned out to be a “conservative solution to a complex problem.”<sup>45</sup>

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<sup>45</sup> Anthony M. Bryant, Sherman, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Report of Operations and

These criticisms, although valid in some limited circumstances, miss the main point. Bureau agents, through their role as “judge and jury,” achieved the best that could be expected at the time. They walked a thin line, balancing the wishes of their superiors (in Galveston, New Orleans, and Washington), the country’s uneasiness with actions that threatened the relationship between the federal government and the states, and the nation’s hesitancy to try civilians in military courts. Moreover, these critics discount the ability of civil authorities to impede justice for the freedmen in ways that were not so readily apparent. Civil authorities could easily create the “illusion” of justice by admitting black testimony and then disregarding it or simply rescheduling the hearing until the freedmen ran out of money or no longer wanted to pursue the matter. Local officials could also “investigate” freedpeople’s claims but not indict the white perpetrators, and they could ask for a deposit for court costs from complainants, which few freedmen could afford. Or they could investigate, indict, try, and convict white individuals for illegal acts against freedmen, but punish them with very lenient jail sentences or fines. All these things limited the effectiveness of field agents to protect the former slaves’ legal rights. The presence of Bureau courts had a salutary effect in protecting the freedmen’s civil rights, for they provided a forum to a people who had little money for legal fees and knowledge about the law to have their complaints fairly heard. Despite all that interfered with equal protection for freedpeople compared to whites, Bureau men attempted to use their legal authority to force white

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Conditions, June-August, 1867, reel 21; Nesbit B. Jenkins, Wharton, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Craig, “Memoirs,” 79; Foner, *Reconstruction*, 150; Oliver H. Swingley, Austin, to E. M. Gregory, November 1, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Oakes, “Failure of a Vision,” 66; Jacob C. DeGress, Houston, to [E. M. Gregory], December 1, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; George C. Abbott, Hempstead, to E. M. Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Cohen-Lack, “Struggle for Sovereignty,” 82. For works that find fault with Bureau courts, see Kaczorowski, *Politics of Judicial Interpretation*, 43; Oakes, “Failure of a Vision,” 66-76; Rapport, “Freedmen’s Bureau as a Legal Agent,” 46; Barry A. Crouch, “Black Dreams and White Justice,” *Prologue* 6 (Winter 1974): 264; Rapport, “Freedmen’s Bureau as a Legal Agent,” 52-53; Neal and Kremm, “What Shall We Do With the Negro?” 25; and Nieman, *To Set the Law in Motion*, 146.

southerners to recognize the freedpeople as exactly that – free people. Even some of the harshest critics of the role agents played to ensure equality before the law grudgingly admit that these courts, despite their “problems,” benefitted the freedmen in some ways. James Oakes, who believed the courts too conservative and a “tragic failure,” admitted that they had benefits. These courts, according to him, were the “benevolent midwife to the freedmen’s legal passage from slavery to freedom, by demanding from the southern states legal recognition of the freedmen’s right to be heard in court, the Bureau made clear that it sided with the blacks and in the process prevented innumerable outrages.”<sup>46</sup>

Subassistant commissioners’ judicial responsibilities, although highly criticized, became all the more important in late 1866 because of events in the state capital. Under President Johnson’s Reconstruction plan, former Confederate states had benchmarks to meet to complete Reconstruction. Lenient toward the South, the president’s plan allowed for many prewar officials, most of whom were Democrats, to return to power in statehouses throughout the former Confederacy. Desirous to retain as much of the old system as possible, these state legislatures passed controversial laws in late 1865 and early 1866, collectively called the Black Code. These laws addressed many personal and public aspects of each former Confederate state’s citizens. On the surface, lawmakers touted these laws as racially neutral. But in practice, they aimed to circumscribe the freedoms of recently emancipated blacks.<sup>47</sup>

Due to the late start in the reconstruction process, the Texas Black Code did not appear

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<sup>46</sup> Oakes, “A Failure of a Vision,” 74; Nieman, “Andrew Johnson, the Freedmen’s Bureau,” 420; Nieman, *To Set the Law in Motion*, 113-114. For instances of civil courts evading their responsibilities to ensure justice to the freedmen, see Charles Griffin to O. O. Howard, February 12, 1867, M752C, Letters Received, January-May, 1867, reel 44; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., May 2, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Nesbit B. Jenkins, Wharton, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., July 27, 1868, AC, Letters Received, 1867-1869, reel 12; and E. M. Pease to J. J. Reynolds, February 27, 1868, AC, Letters Received, 1867-1869, reel 12.

<sup>47</sup> Tyler, ed., *New Handbook of Texas*, 1:562-563.

until late 1866. The Eleventh Legislature, elected under Johnson's Reconstruction plan, passed statutes that regulated everything from apprenticing minors to punishing vagrancy, from regulating labor to establishing schools. The Texas Black Code granted to Texas freedmen some never before held rights, including the right to be secure in person and property, the right to sue and be sued, the right to contract, and the privilege of marriage. These laws, the state legislature hoped, would establish the freedpeople's place in Texas society and rid the state of the hated Freedmen's Bureau. Although not nearly as acute and punitive as other former Confederate states' codes, the Texas Black Code nonetheless had the same intent. Bureau officials in Galveston anticipated the code's passage and instructed the agents at Austin, O. E. Pratt and Byron Porter, to keep them informed about the legislature's progress. As Pratt stated, "I have the honor to inform you that there are several bills pending . . . which are intended to abridge the rights of the freedmen."<sup>48</sup>

Kiddoo instructed his subordinates to either apply the state laws in a way fair to both black and white or to ensure that local officials did the same. In essence, make sure that local officials did not use the Black Code in a way that violated the recently passed civil rights bill. Of those portions of the code that the agency abrogated, most important was the labor law, which, according to Bureau authorities, attempted to bring back slavery in a new form. It required a worker to sign an annual contract, which could be terminated only by abuse of the workers or with the employer's consent. Any unauthorized termination on the laborer's part, "without *cause* or *permission*," resulted in lost wages. In addition to this stipulation, the labor law outlined stringent codes of conduct for workers, allowing employers to deduct wages for each specified

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<sup>48</sup> O. E. Pratt, Austin, to J. B. Kiddoo, September 27, 1866, AC, Letters Received, 1866-1867, reel 7; Byron Porter, Austin, to Henry A. Ellis, A.A.A.G., December 3, 1866, SAC, Letters Sent, October 1866-May 1867, reel 12; Winnell Albrecht, "The Texas Black Codes" (Master's Thesis, Southwest Texas State University, 1969), 84-102.

offense or simply dismiss him for “gross misconduct.”<sup>49</sup>

With the adoption of the Black Code, field agents now took a greater interest in apprenticeship. In the 19<sup>th</sup> century, apprenticeship was an accepted and recognized measure to deal with indigent or orphaned children. A practice for the most part confined to the North prior to the war, apprenticeship occurred when a local magistrate or justice of the peace determined that a child was parentless or poor and bound him/her out. Those who received the child – after placing a bond – were required to provide proper housing, board, medical care, and education and to teach the apprenticed child “a specified trade or occupation.” All contracts had a release age: all minors under fourteen could be bound with the consent of their parents or legal guardian until married or upon reaching the age of twenty one. If fourteen or older, the child could be apprenticed only with the consent of their parents. In the North, race played little part in the apprentice system. In the South, especially after slavery’s demise, apprenticing became not only a way to care for indigent and poor black minors, but also a way for whites to procure labor. Under no circumstances did headquarters permit Bureau agents to bind out those children old enough to enter labor contracts.<sup>50</sup>

Prior to the state’s apprentice law, Bureau headquarters ordered agents not to bind out children or allow civil authorities to do the same. Instead, agents had to “make the best temporary disposition you can for them.” This usually meant that the SAC had to act either as the minor’s guardian or had to find a “good home for them [and] give the parties permission to keep them until further orders. . . .” In most cases agents became the primary caretaker in the

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<sup>49</sup> Barry Crouch, “‘All the Vile Passions’: The Texas Black Codes of 1866,” *Southwestern Historical Quarterly* 97 (July 1993), 23-24; H. P. N. Gammel, *The Laws of Texas, 1822-1897* . . . 10 vols. (Austin: The Gammel Book Company, 1898), 5:995-996.

<sup>50</sup> Gammel, *The Laws of Texas*, 5:979; Crouch, “All the Vile Passions,” 26; Endorsement of letter from J. Albert Saylor, Hallettsville, to William H. Sinclair, A.A.G., May 7, 1866, AC, Endorsements Sent, April 1866-March 1867, reel 2; Michael Grossberg, *Governing the Hearth: Law and the Family in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 1985), 259.

child's "moral and physical health." This policy not to bind out children until the state passed an apprentice law, however, had ramifications. Although Bureau men refused to apprentice children, state judges went ahead and bound out freed children to whites anyway. Ironically, the Freedmen's Bureau's "wait and see" policy actually led to subassistant commissioners having to take a more proactive approach to prevent injustice against black children.<sup>51</sup>

This policy of the Bureau (not binding out children until the state passed an apprentice law) threatened to increase the number of indigent minor and orphaned children. Planters initially refused to enter apprentice contracts, fearing the contracts would not be upheld. Eugene Smith at Waco wrote that "planters are very anxious to have them bound to them or else to get clear of them." But as their favored options became closed to them (like compensation for slaves), these same planters soon warmed to the practice. Further increasing the number of indigent and orphaned black children were black mothers who could no longer care for their children and began leaving them to the care of Bureau agents.<sup>52</sup>

Although Bureau officials in Galveston refused to allow children to be bound out until the state passed an apprenticeship law, field personnel still requested instructions on exactly what to do. In fact, according to J. B. Kiddoo, "the matter of guardianship" gave the agency the most trouble during his time in Texas. It appears that a number of SACs did not know or understand

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<sup>51</sup> William H. Sinclair, A.A.G., to Stanton Weaver, Crockett, January 23, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Endorsement of letter from J. Orville Shelby, Liberty, to William H. Sinclair, A.A.G., May 1, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Byron Porter, Austin, to John Bremond, November 20, 1866, SAC, Letters Sent, July 1866-May 1867, reel 12; Endorsement of letter from J. F. Hutchison, Columbia, to William H. Sinclair, A.A.G., May 8, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; William H. Sinclair, A.A.G., to J. W. McConaughy, Richmond, February 5, 1866, SAC, Letters Sent, March 1867-May 1869, reel 1.

<sup>52</sup> Eugene Smith, Waco, to Chauncey C. Morse, A.A.A.G., February 23, 1866, AC, Unregistered Letters Received, 1865-1886, reel 17; Endorsement of letter from Phineas Stevens, Hallettsville, to Charles Griffin, August 27, 1867, AC, Endorsement Sent, March 1867-May 1869, reel 2; W. A. Low, "The Freedmen's Bureau and Civil Rights in Maryland," *Journal of Negro History* 37 (July 1952): 232; B. J. Arnold, Brenham, to Chauncey C. Morse, A.A.A.G., October 28, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; J. B. Kiddoo to M. L. Dunn, August 20, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

headquarters policy. "I have been somewhat at a loss to know what to do with orphan minors," wrote Austin agent Oliver H. Swingley, "there being no apprenticeship law in the State." Superiors either ignored him or he did not understand their response, for a month later, Swingley once again requested "instructions in regard the appointing Guardians for Orphan minor." Ira P. Pedigo at Woodville wanted to know if "I have the right to bind them out as poor children are bound out in many of the states." At Marshall, Hiram Seymour Hall also requested guidance on the organization's policy on apprenticing. Before agents could be educated to the policy, Bureau headquarters shifted direction and instructed subassistant commissioners to recognize and to enforce the recently passed state apprentice law. Apprentice contracts were to be enforced if made with no distinction to color, made in good faith by all parties involved, and made according to the state's law. Bureau headquarters in Galveston ordered SACs not to bind out "children who have parents [but] to give them to their parents," with the mother having primary control. In fact, Texas headquarters followed a policy very similar to the one followed by the Freedmen's Bureau in Georgia. This policy, however, applied only if the mother, and in a few instances the father, could financially provide for the child(ren) or to "families that have competent heads." If a Bureau agent determined that a mother was unable to care for her child or the child had no family member deemed by the SAC to be "competent," he could allow that child to be bound out. John T. Raper, for instance, had a case in which a black, unmarried mother had contracted for room and board with a white man. The woman had six children but could care for only three, with "the other three running wild over the country." According to Raper, the mother was "improvident" and "weak-minded" and refused to care for her children. He informed his superiors that he could get those three children "employment" with good white families. Raper asked his superiors if he could consider the children orphans under Texas law. "In short, when



they cannot, or will not provide for themselves,” he believed, “have I not the power to make provisions for them that I can, always keeping in view their best interests.” To Raper that meant apprenticing these children to “a permanent home,” instead of allowing them to change “homes every year, picking up the vice of every plantation as they go.”<sup>53</sup>

Even after passage of the state’s law and subsequent change in the agency’s policy, some men in the field still needed direction. As late as August 1868, ignorance about the Freedmen’s Bureau’s apprentice policy remained. William J. Neely in Victoria bluntly asked, “Is it my duty to apprentice orphan children?” Even F. P. Wood at Brenham, who concurrently performed as a justice of the peace and subassistant commissioner, wrote about the problems with his confusion in making decisions. “[S]ometimes the employer and often the minor and I am at a loss to decide these cases,” he admitted, “as I find some conflict of Military orders on the subject.” He asked whether apprentice contracts issued by civil authorities under the state’s old statute (the one passed prior to the war) were recognized or were contracts made under the statute passed by the Eleventh Legislature (the one passed with the Black Code) the only legitimate ones? Wood wanted further clarification as to his powers and his exact authority regarding apprenticeship. “Have Sub Ass Commissioners the right to annul these letters – except for failure on the part of the employer or contracting party to fulfill his obligations?” In spite of his confusion, it appears that Wood recognized that many apprentice contracts, although in compliance with state law,

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<sup>53</sup> J. B. Kiddoo to M. L. Dunn, August 20, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Oliver H. Swingley, Austin, to E. M. Gregory, November 25, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29; Oliver H. Swingley, Waco, to E. M. Gregory, December 8, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Ira P. Pedigo, Woodville, to E. M. Gregory, March 1, 1866, AC, Letters Received, 1866-1867, reel 7; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 185-1866, reel 17; Chauncey C. Morse, A.A.A.G., to John T. Raper, Columbus, November 29, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; Hiram Seymour Hall, Marshall, to E. M. Gregory, November 6, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Endorsement of letter from E. M. McCullugh to J. T. Kirkman, A.A.A.G., August 20, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2.

were made under less than scrupulous and equitable circumstances.<sup>54</sup>

The Bureau agents' responsibilities did not end once a child had been bound out. They had to ensure each party abided by the contract. Bureau men soon discovered that some white Texans attempted every way possible to violate apprentice contracts. David S. Beath voided a contract and ordered the return of two black children after the white man to whom they had been bound left Texas for Mississippi "without complying with the law." A woman known as Mrs. Roberts beat her apprentice. Friends convinced the young girl to go to the Bureau office in Huntsville. The SAC saw her "marks," fined Mrs. Roberts twenty dollars, and threatened to void the apprentice contract. With a promise from Mike Moore to pay her flour and wages in the future, freedwoman Rachel Hunter agreed to apprentice her daughter Mary to him. He agreed that if he did not make the promised compensation, the girl would be returned "anytime [she] was dissatisfied." Despite his not sending the flour and the girl's desire to return to her mother, Moore refused to release her. She took her complaint to the Bureau agent, who secured the girl's release. James C. Devine, the agent at Huntsville, had to remind a local justice that he could bind out children only "under cover of vagrant laws and even then the stretch of authority is so great that an investigation by your superiors would pronounce your conduct not only false in the eyes of the laws, but reprehensible in morals." He also had to remind the judge that after a child had been apprenticed, the Bureau agents' role then became "supervisory, except when flagrant cases of injustice occur when it becomes his duty to act."<sup>55</sup>

A freedwoman complained that Hallettsville authorities illegally bound out her grandson.

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<sup>54</sup> William J. Neely, Victoria, to Captain, August 20, 1868, AC, Letters Received, 1867-1869, reel 14; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., August 8, 1868, AC, Letters Received, 1867-1869, reel 16.

<sup>55</sup> David S. Beath, Cotton Gin, to [J. J. Reynolds], September 18, 1868, AC, Letters Received, 1867-1869, reel 10; LaVonne Roberts Jackson, "'Family and Freedom': The Freedmen's Bureau and African-American Women in Texas in the Reconstruction Era, 1865-1869" (Ph. D. diss., Howard University, 1996), 128, 126; James C. Devine, Huntsville, to James Hentiss, March 6, 1867, SAC, Press Copies of Letters Sent, January 1867-March 1868, reel 22.

William H. Heistand found that Jacob, the grandson, did not give his consent and that he wanted to live with his grandmother. He further discovered that the boy worked all the time for the white man he had been bound to, with little time for the boy's education. Thus, Heistand ruled the apprentice contract illegal and allowed the boy to return to his family. Walter B. Pease in Harris County returned a boy who was bound out without his mother's consent. Alex B. Coggeshall suspected misdeeds from Bastrop authorities. Local officials had told him they had the right to bind out minor children, and he was "fully satisfied that in some cases it would be for the interest of the minor." But in other cases, he added, there were opportunities for abuse, noting that "some of the planters would have children bounded to them who have relatives who are both willing and anxious to provide for them." Coggeshall informed superiors about a case currently before the Bastrop civil court. "It is a self-evident fact," he believed, "that the Planter only want[s] the minor for the work that it may be able to do." Although Coggeshall asked for "definite instructions" in the case, officials at headquarters failed to respond to him. From their responses to other such requests, however, it is safe to assume they would have told Coggeshall that if the child was old enough to work, he should not be bound out in an apprentice contract but be able to sign a labor contract.<sup>56</sup>

Field agents did not uphold apprentice contracts under all circumstances. They did not hesitate to break them if they suspected the contract was unfair, even if it had been drafted according to state law or even with the mother's approval. In fact, a mother's guardianship and parental rights went only so far. If Bureau men found contracts that freedwomen had made that bound their children out in a way these men deemed unjust, SACs voided them and returned the

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<sup>56</sup> Alex B. Coggeshall, Bastrop, to J. T. Kirkman, A.A.A.G., February 5, 1867, AC, Letters Received, 1866-1867, reel 4; Case of Mary Warren (fw) vs. James Finnie, November 12, 1866, Hallettsville, SAC, Register of Complaints, October 1866-January 1867 and October-December 1868, reel 21; Endorsement of letter from Walter B. Pease, Houston, to J. T. Kirkman, A.A.A.G., March 12, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2.

children to their parents or allowed them to earn a living on their own. “No mother has any right to make such a contract,” stated Inspector William H. Sinclair about one apprentice contract he saw, and if the mother agreed to such a contract, “she is a fool to have done it even [if she] had the right.” Bureau agents had the final word, and Bureau headquarters generally supported their decisions. Subassistant commissioners would not approve an apprentice contract until they were satisfied the welfare of the child was secured.<sup>57</sup>

When infractions occurred, Bureau men did the best they could to address them according to the law or what they saw as equitable. This approach meant freeing black children, who were generally bound out “without the consent of their parents or the children.” On numerous occasions, the freed community, particularly freedwomen, brought these cases to the attention of local agents. “In several cases where minor children were bound out without consent of parents,” wrote Samuel C. Sloan in Richmond, “I have upon proper complaint had them delivered up to their parents . . . [because they] are the legal guardians of and have a right to the services of their children.” Tyler agent David L. Montgomery, with cooperation from another SAC, had an illegally apprenticed child returned from Fort Worth, approximately 130 miles west. Charles E. Culver found parents and siblings of illegally bound children pleading with planters to release their children. He reported that these “new time Slave Holders,” often times, answered the parent’s pleas with “go to Hell or the Bureau.” Although Culver tried to get the children returned, he admitted that would be almost impossible without troops, for the offenders were “the most influential and at the same time some of the worst men” in his district. Gregory Barrett noted that “very few of the freedpeople can read [and] those interested immediately have no Knowledge of the Apprentice[ships] until ‘after’ its consummation by the Court.” When he

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<sup>57</sup> Endorsement of letter from J. P. Jones, citizen, to William H. Sinclair, A.A.G., June 1, 1866, SAC, Endorsements Sent, April 1866-September 1867, reel 2.

found situations like this, Barrett “revoke[d] all such acts of indenture, unless otherwise ordered.” William G. Kirkman at Boston returned a freed boy to his grandfather once the “evidence [was] considered.” On a different occasion, he annulled another contract when the white defendant refused to appear at the Bureau office for an investigation. Parental rights even extended to fathers. Walter B. Pease at Houston returned a child to his father after he deemed the man to be “a hard working industrious man” who has shown the ability “to support him.”<sup>58</sup>

These men held not just whites to the law but also the apprenticed and their parents. This meant enforcing legal apprentice contracts. A local judge came to Louis W. Stevenson with a complaint that the child bound to him had run away to work on the railroad. Stevenson found “no question [the child] was treated well,” and ordered the railroad to return him. Anytime parents of bound children complained to Bureau agents about illegality or mistreatment, they did not hesitate to investigate the claims. They would break a contract or fine the guilty party if they found the accusations valid. If they found the claims baseless, however, they upheld the apprentice contract. For example, J. D. Vernay at Goliad checked a black grandmother’s complaint that her apprenticed granddaughter was being abused. Upon further investigation, Vernay discovered every time a new SAC arrived at Goliad, the old woman solicited him for help to get her granddaughter back. Not only did the girl want to stay with the white man she had been apprenticed to, but Vernay thought “the girl is much better treated than if she was with

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<sup>58</sup> Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Charles C. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., July 24, 1867, AC, Letters Received, 1866-1867, reel 4; Case No. 33 Sandy Mungoe (fw) to Ed. Brunnells, November 6, 1867, Boston, SAC, Register of Complaints, July 1867-June 1868, reel 13; Endorsement of letter from Walter B. Pease, Houston, to J. T. Kirkman, A.A.A.G., February 16, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Case No. 3 Charlotte Duckett (fw) vs. Levinia E. Lucas, July 8, 1867, Boston, SAC, Register of Complaints, July 1867-June 1868, reel 13; Jones, “Soldiers of Light and Love,” 47; Jackson, “Family and Freedom,” 119; Barry A. Crouch and Larry Madaras, “Reconstructing Black Families: Perspectives from the Texas Freedmen’s Bureau Records,” *Prologue* 18 (Summer 1986): 116-117; Case No. 32 Charles Leigh (fm) vs. Charles Rock, November 5, 1867, Boston, SAC, Register of Complaints, July 1867-June 1868, reel 13.

her grandma.” J. W. McConaughey at Wharton expressed his desire to cooperate with the civil authorities on apprenticing, but only if they were impartial in their dealings.<sup>59</sup>

In the city of Houston, Walter B. Pease investigated an apprentice case of suspected abuse. Pease found that the “charge [was] not sustained” and ordered the black girl to remain with the white doctor she had been bound to. The agent, however, reminded the doctor that he must provide her with “Schooling privileges.” After another subassistant commissioner contacted him to help return a child to her mother, William H. Heistand at Hallettsville investigated the situation. He informed the other Bureau man that the girl was “quite anxious to remain there on her own account.” As a result, Heistand recommended that she be allowed to continue her contract. In the city of Austin, James Oakes investigated a local doctor’s apprentice contract. He had an apprenticed teenage black girl along with children of his own. Persuaded by the doctor’s Unionism, treatment of the girl, or the girl’s desire to remain under his care, Oakes decided not to void the contract and allowed her to remain with him. E. C. Hentig informed superiors that as long as the apprentice contract complied with the civil rights act, he approved the contracts. William G. Kirkman investigated an accusation from one freedwoman that a child had been illegally apprenticed. He concluded that all parties had abided by the state’s law. “It would be for the best interests of the girl,” Kirkman believed, “to remain with [the white woman].” In fact, Kirkman never hesitated to uphold a legitimate apprentice contract if it was in the child’s best interest.<sup>60</sup>

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<sup>59</sup> William H. Heistand, Hallettsville, to Enon M. Harris, Columbus, February 4, 1867, SAC, Letters Sent, October 1866-March 1868, reel 21; James Oakes, Austin, to J. T. Kirkman, A.A.A.G., May 30, 1867, SAC, Letters Sent, May 1867-December 1868, reel 12.

<sup>60</sup> Case of Dinah Wren (fw) vs. Dr. Hartridge, June 18, 1867, Houston, SAC, Register of Complaints, December 1865-December 1868, reel 22; Endorsement of letter from Charles E. Culver, Cotton Gin, to Charles Griffin, July 24, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; Louis W. Stevenson, Columbus, to James Gillette, Bryan, November 19, 1868, SAC, Letters Received and Receipts, October-December, 1868, reel 14; J. P. Richardson, A.A.A.G., to J. D. Vernay, Goliad, June 3, 1867, SAC, Letters Sent, May 1867-December 1868, reel 12; J. W. McConaughey, Wharton, to Captain, February 24, 1866, AC, Letters Received, 1866-1867, reel

To a great extent, these men believed their problems would be greatly lessened if only freedmen fulfilled their paternal responsibilities. As historian Mary J. Farmer-Kaiser stated, black men had to be taught their “manly responsibilities,” which included a man caring for his children and their mother. N. H. Randlett at Bryan heard a claim by one freedwoman that a freedman named Frank had promised to marry her. She also informed the SAC that she carried his child. Although he admitted that “the evidence is not sufficient neither are appearances sufficient” to prove the pregnancy, Randlett ordered Frank to support the woman “in event of its birth by the time . . . it will be born.” In the city of Austin, Elisa Morgan, a freedwoman of “indifferent character” with “several children by different men,” approached Bureau man Henry Young for help. Young found that she had lived with a white man named Presser Hopkins for the last two years. Known to frequent saloons in the area, Hopkins had a reputation for anything but upstanding behavior. According to Morgan, she had “got him in the family way” as recently as two weeks ago and was apparently pregnant by him, despite the relationship being less than amicable. To complicate matters, Hopkins had already agreed to marry another woman. Young believed that the man had been “dating” both women at the same time. He inquired to superiors about bastard laws, which the state of Texas did not have at the time. Informing headquarters that his subdistrict had hundreds of bastard children, Young suggested “a precedent [be] given” so that “many of their mothers would bring actions against the fathers in this office.” The drive to hold fathers responsible also applied to white fathers. Ex-slave Emma Hartsfield filed a complaint with Byron Porter against Larry McKenzie, a white man from Austin. Hartsfield

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9; E. C. Hentig, Sherman, to C. S. Roberts, A.A.A.G., July 1, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; E. C. Hentig, Sherman, to C. S. Roberts, A.A.A.G., November 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; E. C. Hentig, Sherman, to Charles A. Vernou, A.A.A.G., December 1, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28. For another instance of William G. Kirkman upholding a legal apprentice contract, see Case No. 5 R. J. Johnson vs. Guy Johnson (fm), July 17, 1867, Boston, SAC, Register of Complaints, July 1867-June 1868, reel 13.

claimed McKenzie had promised her a lot and house if she lived with him. After living with him for some time, she became pregnant with his child. He wanted her to have an abortion, but she refused. With McKenzie attempting to “sell the house and go away,” Porter “attached his land,” hoping to scare him into settling with her. Porter summoned both parties to his office and got McKenzie to sign over the deed to her “of Lot No. 8 in Austin with two houses.” In return, she signed papers that released McKenzie of any claims on behalf of the unborn child.<sup>61</sup>

A few field agents defined the child’s best interest very broadly. In fact, these men argued that the mother “should not be deprived of such guardianship even at her request” and, therefore, vigorously “attacked” apprentice contracts. Anthony M. Bryant at Sherman reported that through his efforts the state’s apprenticeship law “in my District [is] a dead letter” and “the men who made [this law should] be ashamed of [it] or at least I think they ought to be.” In Corpus Christi John Dix likened apprenticeship to slavery, and thus took a belligerent approach to apprenticing black children to white individuals. In fact, Dix reported that he did not allow “colored children [to be] apprenticed to white people, for the reason that most people would treat them as slaves, if they were apprenticed to them.” At La Grange, Isaac Johnson had nothing but contempt for the apprenticeship system. “[A]ny Law that will place any considerable number of freed children under the control and power of the white people of this County,” he wrote, “with their present feeling and disposition towards the black race” as egregious. Charles Haughn also believed that binding out black children “only makes slaves of the children.” A few Bureau agents, however, went to the extreme the other way. For example, H. S. Johnson at Sumpter, Trinity County, approached apprenticeship as a means of procuring labor for his friends.

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<sup>61</sup> Farmer, “Freewomen and the Freedmen’s Bureau,” 91; Case of May (fw) vs. Frank (fm), June 28, 1867, Bryan, SAC, Register of Complaints, 1866-1868, reel 14; Henry Young, Austin, to C. S. Roberts, A.A.A.G., September 11, 1868, AC, Letters Received, 1867-1869, reel 16; Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Pantheon Books, 1976), 392; Farmer-Kaiser, “With a Weight of Circumstances Like Millstones About their Necks,” 420-421, 425.



Accusations surfaced, which were later substantiated, that Johnson routinely took minor black children from “good homes” and “gave them as *Servants to his friends*.” Johnson was not above benefitting himself through apprenticeship. In fact, he took one freed child from a family and “forced her to become his own slave.”<sup>62</sup>

Bryant, Dix, Johnson, Haughn, and Johnson, however, were not the norm, for most subassistant commissioners had a less antagonistic approach to the system. These men wanted to guard against dependency, which meant they had to allow indigent and orphaned children to be apprenticed. Bureau agents were fearful of creating dependency on the one hand and concerned about the child’s interest on the other, and therefore parental rights sometimes got set aside. Bureau men found themselves in a bit of a pickle, being pulled in two opposing directions. To solve this dilemma, these men had to “use their best judgment,” to strike a balance between what their superiors wanted, what white Texans wanted, and what the freedpeople wanted. In their decisions, they tried to account for the child’s wishes, the former master’s intentions, and the parent’s moral state and financial ability. With so much information to “process,” Bureau agents relied heavily upon common sense and what they deemed to be fair. This precluded any uniform policy and helped contribute to some confusion. It also resulted in varying actions by agents, ranging from the excesses of William Longworth at Seguin, to the one-sided courses against

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<sup>62</sup> Endorsement of letter from William Longworth, Seguin, to William H. Sinclair, A.A.G., May 17, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Anthony M. Bryant, Sherman, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Anthony M. Bryant, Sherman, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; John Dix, Corpus Christi, to J. P. Richardson, A.A.A.G., February 29, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Isaac Johnson, La Grange, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Charles Haughn, Waco, to Charles A. Vernou, A.A.A.G., December 31, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; O. A. McGinnis to J. J. Reynolds, November 15, 1867, AC, Letters Received, 1867-1869, reel 13; Endorsement of letter from J. Orville Shelby, Liberty, to William H. Sinclair, A.A.G., May 8, 1866, AC, Endorsements Sent, April 1866-September, 1867, reel 2; Endorsement of letter from B. A. Brown to William H. Sinclair, A.A.G., July 22, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from Martha Watt to William H. Sinclair, A.A.G., [Summer 1866], AC, Endorsements Sent, April 1866-September 1867, reel 2.

apprenticeships followed by Anthony M. Bryant at Sherman and John Dix at Corpus Christi, to the case-by-case approach by the vast majority of other subassistant commissioners. Not all parties, of course, were satisfied when a Bureau agent ruled in an apprentice case. At times, Bureau men probably erred in their decisions. But more often than not, they made what they believed to be the best, most just, and fairest decision according to the facts, the law, and, most important, what they saw as the child's interest. That sometimes meant they would void an apprentice contract and return the child to the parent or guardian. Sometimes that meant they would uphold an apprentice contract, believing that was the better option. Bureau agents essentially had to be their "own judge in each particular case." In the end, most Bureau agents in Texas based their decisions on what they believed to be the child's best interest.<sup>63</sup>

If the apprentice contract was shown to be illegal, these men did not hesitate to break it. They realized that the apprentice system was open to abuse. They did not attack apprenticeships as vigorously as did subassistant commissioners in Maryland, where local officials abandoned the practice altogether. Bureau men in Texas did not "strongly advocate" or, at times, "demand" binding out as many agents did in Tennessee. Nor did they always uphold contracts "at the expense of the view of the primacy of parental rights" as some field agents did in North Carolina. Men in Texas followed a course similar to the one in Georgia. They decided apprentice cases generally in favor of parental rights in the Lone Star State, but only if that coincided with what they believed to be in the child's best interest.<sup>64</sup>

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<sup>63</sup> Laura Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: University of Illinois Press, 1997), 50; Noralee Frankel, *Freedom's Women: Black Women and Family in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999), 136; Rapport, "Freedmen's Bureau as a Legal Agent," 39; Rebecca Scott, "The Battle Over the Child: Child Apprenticeship and the Freedmen's Bureau in North Carolina," *Prologue* 10 (Summer 1978): 102.

<sup>64</sup> Scott, "Battle Over the Child," 110; W. A. Low, "The Freedmen's Bureau in the Border States," in Richard Curry, ed., *Radicalism, Racism, and Party Realignment: The Border States during Reconstruction* (Baltimore: Johns Hopkins University Press, 1969), 247; Troy Lee Kickler, "Black Children and Northern Missionaries: Freedmen's Bureau Agents, Southern Whites in Reconstruction Tennessee, 1865-1869" (Ph. D. diss.,

This juggling act, however, has been a source of some criticism, especially when Bureau agents did anything other than return black children to their mothers or relatives. As historians have begun to focus more attention on the role women played in Reconstruction, some in the field have criticized Bureau agents' relationship with freedwomen and apprenticeship. According to this view, at the least, Bureau men displayed insensitivity and chauvinism, and at the worst, their misogynistic ways wrecked homes and helped to destroy the former slaves' family integrity. According to historian Laura Edwards, subassistant commissioners would not have been so aware of "the blatant inequities of the system if not for the freedmen themselves, who kept agents' attention riveted on the issue, whether they liked it or not." Lynda J. Morgan likened Bureau agents' policies to that of the "interstate slave trade." She wrote that "occasionally Freedmen's Bureau agents rescued indentured children from the grip of former masters." Generally, she concluded, "the bureau colluded with planters in the apprenticeship system." Leslie A. Schwalm, another historian, criticized Bureau agents for their "ignorance of extended families and the cultural significance of a community's sense of mutual duty and obligation among extended and fictive kin [and] the reconstitution and defense of black family life. . . ."<sup>65</sup>

Despite later indictments against the practice, apprenticeship was an accepted way to help the improvident, orphaned, and needy. It also was a way to combat dependency and was a necessity following the Civil War. Claims that the freed community would have cared for every

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University of Tennessee, 2003), 150-151; Farmer-Kaiser, "With a Weight of Circumstances Like Millstones About their Necks," 429; Rapport, "Freedmen's Bureau as a Legal Agent," 39.

<sup>65</sup> Edwards, *Gendered Strife and Confusion*, 50; Morgan, *Emancipation in Virginia's Tobacco Belt*, 139, 173; Leslie A. Schwalm, *A Hard Fight For We: Women's Transition From Slavery to Freedom in South Carolina* (Urbana: University of Illinois Press, 1997), 251, 254. For works that criticize Bureau agents for apprenticing black children, see Kickler, "Black Children and Northern Missionaries," 174; Litwack, *Been in the Storm So Long*, 237; Famer-Kaiser, "With a Weight of Circumstances Like Millstones About their Necks," 431; and Scott, "Battle Over the Child," 101-113.

one of these children goes against the evidence, for the very thing that necessitated the Freedmen's Bureau's existence after the war also necessitated the apprentice system: many former slaves were in need of care. A significant portion of these people were children. Because of slavery or the war, they had no parents. In addition, some parents proved incapable of caring for them. Would these children have benefitted by remaining with parents or guardians unable or unwilling to care for them properly and living a life marred by homelessness, hunger, and abject poverty? Subassistant commissioners did not think so. Following the war, there were too many indigent and orphaned black children for the freed community to care for. Apprenticeship proved a viable and acceptable option for these men to deal with destitution following the war. Moreover, some freed children asked to remain with their white families. Bureau men believed that they were doing what was best for the apprenticed. For some children, that meant being apprenticed to a white person or family, but the Bureau agent made sure the apprentice contract was "not enforced in the spirit in which [it was] passed by the legislature." For others, that meant remaining with their parent, parents, or relatives. Texas SACs made an honest attempt to help black children.<sup>66</sup>

In the summer and fall of 1866, as Congress renewed the agency for another two years, the Freedmen's Bureau had greatly expanded, both in the territory it covered and the number of agents within the state. This expansion could not have come at a better time, especially as white resistance reached its most intense since the close of the war. In addition to protecting the freedmen from physical threats and violence, Bureau agents had to protect them from the Black Code, which was designed to restrict much of the former slaves' freedom. SACs, through the use of Bureau courts, attempted to secure the freedmen's legal rights. Through these courts,

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<sup>66</sup> John H. Morrison, Palestine, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24.

agents hoped to “educate” white Texans that the freedmen, whether in their labor or to their children, had rights that must be respected. Furthermore, Bureau men urged freedmen to obey the law. In essence, they needed to learn what their civil responsibilities were. During Kiddoo’s administration, this education extended beyond the courtroom and into the classroom. In fact, he would place emphasis on freedmen’s schools to such an extent that it would be one of his most important legacies as assistant commissioner in Texas. Through these schools, the freedmen would be taught how to read and write, but also educated on proper Victorian behavior and their responsibilities as men, women, and citizens.

## CHAPTER 5

### THE BUREAU'S HIGHWATER MARK: THE J. B. KIDDOO ERA, NOVEMBER 1866-JANUARY 1867

In conjunction with teaching the freedmen through Bureau courts to abide by the law, subassistant commissioners tried to educate the former slaves in proper societal behavior. Bureau agents believed that much of the freed population's social behavior, especially their sexual relations, were the ways of slaves, not free men and women. The freedpeople had to learn that society expected them to accept and fulfill their marriage obligations, both to each other and to their children. Although Bureau men led by example and, at times, through punishment with fines, they mostly educated the former slaves about their social duties through freedmen's schools. These schools served a dual purpose: to teach the freedpeople to read and write and to instruct them in proper Victorian behavior. Kiddoo placed great emphasis on the education of the former slaves.

This emphasis further expanded the duties of Bureau agents and increased the overall bureaucratization of the agency. By the end of 1866, the Freedmen's Bureau in Texas had reached its apex in power and activity. In fact, by this time, the agency oversaw all aspects of the freedpeople's lives, with little responsibility delegated to civil authorities. From late 1866 to late 1868, Bureau and military officers slowly transferred authority to civil authorities. Agents' responsibilities with Bureau courts, labor contracts, freedmen marriages, and the Black Code all contributed to bureaucratization and centralization of power in the Bureau. The agency in Texas had reached its high-water mark. Bureaucratization greatly affected the field agents' workload, as they spent many hours on monthly reports and other paperwork. During Kiddoo's administration, in fact, a good portion of their work was little different from the clerks' work at Bureau headquarters in Galveston. Kiddoo would also order many inspection tours throughout

Texas, which, in conjunction with their increased paperwork, served to apprise Bureau officials of any ineffective or malfeasant Bureau agents. At the same time Bureau men took a greater interest in the freedmen's education and the agency took on the characteristics of a modern-day bureaucracy, a new labor practice developed in Texas. Sharecropping would alter the relationship between the planter and his field hand and would have repercussions for the South far into the future. More important for this study, however, it would have lasting consequences for the image of the subassistant commissioner.

With slavery's demise, the Freedmen's Bureau struggled to educate the freedmen about their family responsibilities, particularly matrimonial issues. Prior to 1865, Texas did not recognize marriages between slaves. Nevertheless, either through encouragement or simply the consequences of placing single men and women together, familial relations developed. Slave couples cohabitated and had children. Of course, at any time and for any reason, masters could break up these "marriages," and prior to and during the war, many separations occurred. After the war, military and Bureau officials attempted to reunite families. Bureau agents generally applied two questions in each case to help guide them to address this problem caused by slavery: Was the relationship between the man and woman prior to emancipation one that could have been deemed legal and binding, and could the parties have been lawfully remarried? If the relationship produced children, could the father be made to support the mother and his children and contribute to their support?

After the war, the United States government, through congressional law and Bureau policy, deemed relationships that existed during slavery ("Persons cohabitating together or associating as man and wife") as marriages. Agents in the field proactively moved to preserve and promote the sanctity of these relationships. The word "sanctity," of course, embodied many

aspects within marriage. Most important to the agency, however, it meant the marriage contract. Commissioner Howard reminded his subordinates that ideally their marriage policies should conform to state law and should receive the governor's approval. Although Howard recommended guidelines that his subordinates should follow, assistant commissioners in each state were essentially left free to create their own policies on freedmen marriage. The commissioner reiterated the importance of marriage and reminded his subordinates to instruct "all Freedpeople what the law demands of them in regard to marriage."<sup>1</sup>

E. M. Gregory instituted marriage regulations in early 1866, which his successors continued relatively unchanged. No male under eighteen or female under fifteen could enter a marriage contract. The organization required parental or guardian consent to marry for boys under twenty one and girls under eighteen. Field agents could decide if a parent or guardian was not available. Each party had to receive a license, and the ceremony had to be performed by a licensed individual. Under no circumstances did SACs have the authority to divorce freedmen. The organization wanted to curb what it saw as sinful behavior among the former slaves – illegitimacy, promiscuity, and infidelity. Thus, they reiterated to field personnel their responsibilities to rectify "the existing evils on this subject." As historian Michael Grossberg has shown about white 19<sup>th</sup>-century attitudes: "Without such legitimacy, a sexual union was considered only a casual connection between a man and a woman."<sup>2</sup>

Since these "existing evils" were quite prevalent among the freedpeople, Bureau agents

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<sup>1</sup> Circular No. 9, AC, March 23, 1866, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-1869, reel 19; Circular Letter from O. O. Howard, March 2, 1866, Letters Received, 1866-1867, reel 6; Barry A. Crouch, "The 'Chords of Love': Legalizing Black Marital and Family Rights in Postwar Texas," *Journal of Negro History* 79 (Autumn 1994): 334, 338.

<sup>2</sup> Circular Letter from O. O. Howard, March 2, 1866, Letters Received, 1866-1867, reel 6; Circular No. 9, AC, March 23, 1866, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Grossberg, *Governing the Hearth*, 130; Endorsement of letter from L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 21, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.



had a difficult task to educate the freedmen about their matrimonial responsibilities. At Marlin Falls, A. P. Delano stated that he had “been mindful of their [the freedmen] morals” and had corrected “many evils.” Delano admitted that he had been troubled by “an inclination on the part of man and wife to sepparate [sic].” He further added that the freedmen “have now become fully convinced of the real necicity [sic] of making a support for themselves and families, and in many instances resort to separation to rid themselves of such incumbunes [sic].” Later that year, in December 1866, Delano continued to struggle with this problem in his district. “[I]t is impossible to keep them together,” he stated, “as they have been accustomed thru life to a change of pastures it is now pretty hard to confine an old Buck . . . and more particular when the young fawns are of different stripes.” William H. Horton in Wharton County complained “that the sacredness of the marriage relations are little understood and observed.”<sup>3</sup>

William H. Rock in Richmond remarked that the “great immorality amongst” the freedmen “is absolutely shocking.” Bureau agents routinely reminded freedmen, and at times freedwomen, that they could not marry another until they first got divorced. “One of the greatest difficulties to overcome with them,” William J. Neely wrote in Victoria, was “the little regard they have for the marriage contract.” In fact, Neely saw the situation as hopeless, judging by the sheer volume of complaints of adultery. Neely admitted that he no longer attempted to bring the parties to an amicable agreement but encouraged “them to sue for divorce [and] to prosecute for adultery, etc.” He argued that “the great number that would come into the courts would occupy much time in our courts . . . The question is, can the greatest good be done in that way or by an effort to reconcile and keep them from applying for Divorce?” Bureau authorities, however,

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<sup>3</sup> A. P. Delano, Marlin Falls, to Chauncey C. Morse, A.A.G., March 26, 1866, AC, Letters Received, 1866-1867, reel 5; A. P. Delano, Marlin Falls, to J. B. Kiddoo, December 31, 1866, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; William H. Horton, Wharton, to J. T. Kirkman, A.A.A.G., April 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

disagreed with Neely's course and informed him that they did not deem it "advisable to encourage freedpeople to obtain divorce unless it is absolutely necessary." They further reiterated that he – as well as all other field agents – should induce couples "to settle amicably any difficulties they may have." In time, through orders from headquarters in Galveston and the persistence of SACs, the Freedmen's Bureau created a "happy effect" in changing the minds of those couples who "were desirous to quit." Despite Neely's course, most Bureau men in Texas believed marriage the best situation for the former slaves and did everything possible to convince them to resolve their disputes amicably. To these men, marriage meant stability, virtue, and order, and those freedpeople that remained married showed that they had the "self-discipline" to succeed in a free market society. In the end, according to historian Amy Dru Stanley, Bureau men emphasized the sanctity of marriage the same way they stressed the inviolability of the labor contract.<sup>4</sup>

For the short time they served in Texas, subassistant commissioners battled against behavior contrary to Victorian societal norms. Although each passing year the instances of "cohabitation" and "indecent" dwindled, Bureau men were never able to completely end it within the freed community. As late as September 1868, David S. Beath at Cotton Gin reported instances of "cohabitation" outside of marriage. Henry Gouldsy, a freedman, had been living with one woman, but "promised another if she [would do] right he would marry her." Obviously jilted, the first woman reported Henry's actions to Beath, who, after a thorough investigation, fined the man almost two hundred dollars. It remains uncertain whether Beath's moral beliefs influenced such a high fine or whether he simply wanted to make a point, but this high fine

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<sup>4</sup> William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., May 24, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; William J. Neely, Victoria, to Captain, August 20, 1868, AC, Letters Received, 1867-1869, reel 14; C. S. Roberts, A.A.A.G., to William J. Neely, Victoria, August 25, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. W. McConaughy, Wharton, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 7; Stanley, *From Bondage to Contract*, 37.

definitely “had a great effect on the Freedpeople as not one case of adultery has been reported since this case was tried.” In place of fines, John Dix wanted every SAC to gather freedmen in groups each Sunday to “give moral lectures.” Harris County agent J. D. O’Connell investigated a group of freedwomen for alleged immoral practices. O’Connell accused these women of being prostitutes and running a brothel, something he saw as an “utter violation of common decency.” Instead of trying the case, O’Connell referred it to the Houston civil authorities “with a request that the full penalty of the law be visited upon them.” Whatever their attitudes about adultery, most Bureau agents understood why it existed and approached it with compassion rather than condemnation. Adultery was something that “ninety-nine of the Negroes in a hundred might be found guilty of,” wrote B. J. Arnold, “as they do not realize that it is a crime since they have never been taught the contrary.”<sup>5</sup>

Personal preference, philosophy, and opinion greatly influenced each subassistant commissioner’s course. In many regards, their “best judgment” *was* policy. Most agents followed a course later criticized by some historians: despite what the marriage contract granted, women essentially lost their “being” to their husbands. The freedman was made the provider and head of the family. For his protection, guidance, and support, his wife owed subordination and deference. For example, Samuel C. Sloan adhered to the old common law maxim that the “husband controls the wife.” Bureau men designated the freedman the head of his household and relegated his wife to a position of subordination.<sup>6</sup>

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<sup>5</sup> David S. Beath, Cotton Gin, to Charles A. Vernou, A.A.A.G., September 26, 1868, AC, Letters Received, 1867-1869, reel 10; John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., [September 1868], AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Case of Common Decency vs. Bevy of Young Women, June 24, 1867, SAC, Houston, Register of Complaints, December 1865-December 1868, reel 22; B. J. Arnold, Brenham, to E. M. Gregory, October 30, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Ruthe Winegarten, ed., *Black Texas Women: 150 Years of Trial and Triumph* (Austin: University of Texas Press, 1995), 57; Crouch, “Chords of Love,” 346.

<sup>6</sup> Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17. For works on 19<sup>th</sup>-century attitudes about marriage and the role of husband

Agents did not allow freedmen to mistreat, abuse, or neglect freedwomen, however. In fact, by establishing the freedman as head of his domain, agents held him to a standard that meant he must provide for his wife and children and protect their well being. When a freedman failed to live up to his “manly duties,” they did not hesitate to punish him with a fine or short jail sentence. In most cases, however, they preferred to give “good advice.” For example, Sheania Crawford complained that her husband, Allec, refused to care for her. Byron Porter, the SAC at Galveston, investigated the matter and ordered Allec to care for his wife, including paying for a doctor to care for her and the child. When freedmen did not “realize the solemnity [sic] of their marriage relations,” wrote James P. Butler at Huntsville, “I counsel and advise with them and tell them the best mode to pursue.”<sup>7</sup>

The very nature of marital disputes sometimes dragged Bureau agents into the conflict beyond the role of arbiter. John Dix, a Unionist who had faced persecution during the war for his actions, found himself accused of fraud and theft as he tried to resolve a dispute between a freedman and his wife. Freedman Stephen Hawkins shot another black man. Dix, seeing that the wound was not fatal and sympathetic to Hawkins because he served in the Union army during the war, set him and his wife, Alice, up in a small house after Stephen was released on bail. While living in the house, Stephen and his wife’s brothers got into an argument that ended with Stephen threatening to kill the brothers. Dix feared that he “intended mischief” and had Stephen arrested. With her husband in jail, Alice approached the Bureau man and informed him that her husband had taken all her clothes and locked them away in his trunk. Dix obtained the

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and wife, see Stanley, *From Bondage to Contract*, 58-59; Franklin, *Ensuring Inequality*, 31, 42; Elizabeth A. Regosin, *Freedom’s Promise: Ex-Slave Families and Citizenship in the Age of Emancipation* (Charlottesville: University of Virginia Press, 2002), 148-157.

<sup>7</sup> Case of Sheania Crawford (fw) vs. Allec Warren (fm), August 20, 1866, Houston, SAC, Register of Complaints, December 1865-December 1868, reel 22; James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

key from Stephen, but not before the jailed man asked the agent not to give Alice any of his belongings. Despite this request, Dix allowed Alice to take everything but the trunk, its contents, her clothes, and a few articles belonging to Stephen. Holding this property as evidence until trial, Dix soon discovered that Alice wrote to Bureau headquarters and accused him of stealing and “having converted to [his] own use” the articles, an accusation he vehemently denied. He eventually was able to prove the accusation false. After Stephen escaped from jail and stole valuable property in the process, Dix held onto his belongings, hoping to sell them to recoup jail fees and compensation. “I did only what I thought was right and just in the matter between Hawkins and his wife,” he concluded about his course to his superiors.<sup>8</sup>

Field agents often found themselves having to decide custody battles between freedmen and women and, on a few occasions, between freedwomen and white men. As the Freedmen’s Bureau took on greater authority within the domestic sphere, those agents in the field were placed in the unenviable position of determining what or who was best for the children. Henry Roark, a freedman, set up a claim to get custody of his son, who, at the time, was living with his mother (Matilda) and had been apprenticed to the man she worked for. Henry fathered other illegitimate children and took two other women as “wives.” One he abandoned; the other he lived with. The mother claimed that “he has never done anything for him [the boy] nor pretended to set up any claim to him until recently.” The boy wished to remain with his mother. Thus, the Bureau man ruled that the boy should be with his mother. Despite the agent ruling that he had “no shadow of legal claim to the boy as against his mother,” Henry persisted, to no avail, to win custody of his son. While at Bastrop, Byron Porter investigated a complaint from one freedwoman that her “husband” (when they were slaves) had arrived at her residence with an

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<sup>8</sup> John Dix, Corpus Christi, to J. P. Richardson, A.A.A.G., March 26, 1868, AC, Letters Received, 1867-1869, reel 11.

order from another Bureau agent (Alex B. Coggeshall), which granted him custody of their two children. Porter discovered that the freedman had withheld from Coggeshall that the children's mother was still alive and that they lived with her. "After trying in vain to get the parties to make an amicable arrangement between themselves," Porter wrote, "[I] decided that [the freedman] should keep the boy and the woman take the girl." Both parties consented to this arrangement. Jacob C. DeGress in Harris County ordered a former master who had fathered a child with one of his slave mistresses to take custody, but only if the child received a liberal education and learned a trade. DeGress, however, ensured the mother had quite liberal visitation rights.<sup>9</sup>

In Grimes County, Jesse Rigdom, a freedman, fathered three children. He left the woman and took the children. With assistance from his mother, he tried to raise them. Swayed by the children's mother's pleas, Johnathan T. Whiteside ordered Jesse to return the children. Believing her current situation unacceptable – she lived with another man who fathered three additional children with her – and claiming to be in a better position financially than her and her current partner, Jesse appealed to Bureau officials for redress. "A woman who leaves her husband and takes up with another man is not fit to raise my children," he adamantly stated. He professed complete ignorance on what guided Whiteside in his decision and about Texas law. But he still believed himself to be in the right and cited a similar case in an adjacent county where Bureau agent George C. Abbott had sided with the father against the mother in a custody

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<sup>9</sup> A. P. Wiley to E. M. Gregory, February 20, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Case of Maria Scoggs vs. Campbell Trigg, April 4, 1867, Bastrop, SAC, Register of Complaints, February 1867-December 1868, reel 12; Endorsement of letter from Jacob C. DeGress, Houston, to D. F. Meyers, December 13, 1865, AC, Endorsements Sent, September 1865-March 1867, reel 2; Peter W. Bardaglio, "Challenging Parental Custody Rights: The Legal Reconstruction of Parenthood in the Nineteenth-Century American South," *Continuity and Change* 4 (August 1989): 270-280; Jackson, "Family and Freedom," 120-121.

dispute. Unfortunately for Jess, his pleas fell on deaf ears at Bureau headquarters.<sup>10</sup>

Walter B. Pease at Columbia investigated a complaint from one aggrieved mother who claimed her husband had left the county with their child and lived on a plantation with another woman. Pease contacted the Bureau man whose county the man lived in and, through his cooperation, got the child returned. In Marshall, Edward C. Henshaw denied a father's claim to his child after the man abandoned his slave wife and took up with another woman. Henshaw ordered the child returned to his mother and the father to pay ten dollars a month in support. N. H. Randlett settled a case that concerned the right to discipline the children. The father, who was black, and the father's father, who was white, believed they had sole right and whipped the children as punishment. Joanna claimed that "she is competent and is willing to correct her own children." Randlett agreed. Agents in the field were guided by personal preference more than by Bureau policy or state law, for in many instances, the cases they handled could be decided only by common sense and judgment, not statutes and policy. In the end, when deciding the custody of children, subassistant commissioners were guided by who could best provide for the child.<sup>11</sup>

On a few occasions, the drive to persuade the former slaves about their obligations as husband and wife led to excesses by some men. In Robertson County, Champ Carter noted that he spent much of his time dealing with claims of spousal abuse. In one such case the husband had "severely beaten his wife several times – broken a stick . . . over [her] head & then stamped her after [she was] down." Carter ordered the offender punished by "military punishment, i.e., hung by the thumbs for two hours." Carter wrote to his superiors that he was "instructed by

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<sup>10</sup> Jesse Rigdom, (fm), to [Headquarters], January 10, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

<sup>11</sup> Case of Joanna (fw) vs. Charles Bowden and Jim Smith (fm), July 10, 1867, Bryan, SAC, Register of Complaints, 1866-1868, reel 14; Walter B. Pease, Houston, to James P. Hutchison, Columbia, [March 1867], SAC, Letters Received, January 1866-December 1868, reel 15; Jackson, "Freedom and Family," 120-121.

former Agt. [Robert McClermont] that fine & Military punishment were to be resorted to when flagrant injustice and misdemeanors were committed.” Bureau officers at Galveston informed their subordinate that such actions were not acceptable. “Your instruction from a former agent were wrong – decidedly so,” Kiddoo told Carter. “You are not authorized to inflict any punishment on a negro you cannot inflict upon a white man.” Carter’s future conduct would prove that he did not learn his lesson.<sup>12</sup>

Bureau men at times had to protect black women against white men’s advances. Former masters had a hard time divorcing themselves from accustomed habits during slavery. Problems arose when some white men continued to force sexual favors from some women. Some whites used threats of dismissal to continue their sexual exploitation of freedwomen. These sexual relations served to terrorize the women and, in a way, emasculate freedmen. A Tyler freedwoman testified in civil court that she had witnessed a white employer rape another freedwoman who worked for him. Due to fears of a possible race riot in the community, the man’s lawyer persuaded the all white jury “not to take the testimony of a negro,” which led to his acquittal. Gregory Barrett, the SAC at Tyler, believed this to be unjust on the part of the civil tribunal and called the acquitted man to his office. As often was the case, the records suggest he never appeared to answer for his actions. L. Wolfrom, a white man, attempted to rape May Ann Hodge, a black woman. Jacob C. DeGress fined Wolfrom one hundred dollars and sentenced him to thirty days in a guard house. DeGress released him the day Wolfrom paid the fine. Byron Porter heard a complaint from a freedman that a white man held his wife against her will.

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<sup>12</sup> Champ Carter, Sterling, to Colonel, April 19, 1866, AC, Letters Received, 1866-1867, reel 4; William H. Sinclair, A.A.G., to Champ Carter, Sterling, April 25, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.



Porter ordered the white man to “allow her to leave if she wants to do so.”<sup>13</sup>

Field personnel also had to protect freedwomen against violation by freedmen. For example, William H. Rock arrested a freedman, Jack Wiggins. He had run away from his wife and took a young black girl with him. When Rock found them, he discovered the girl to be in a deplorable state, half-naked and battered and bruised from repeated beatings by Wiggins. “[S]he is one of the most distressing girls & [an] object of pity,” the agent recounted. Moreover, he believed she had been “seduced and ruined.” Rock clothed the child and placed her with a trustworthy freedwoman to care for her. Wanting the “great rascal” to pay for what he had done, Rock arrested Wiggins for vagrancy, “not being able to substantiate any other charges against him.” Freedwoman Toney Hubert accused her husband John P. Cox of raping two women. J. H. Bradford investigated the accusation and concluded that Cox had not raped anyone. Bradford discovered the two had a tumultuous relationship, and the accusations stemmed from an argument the two previously had. The Bureau agent advised the couple about their future behavior, reprimanded them on their past actions, and dismissed the case. Byron Porter investigated a complaint by Dr. Jonathan Donaldson, a black doctor. The doctor wanted Porter to “bring his wife back to him.” Porter discovered the woman had left because her husband abused her, and he told the doctor that she was justified in leaving and he “would do nothing for him.”<sup>14</sup>

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<sup>13</sup> Jackson, “Freedom and Family,” 76; Case of Jackson (fm) vs. Russell, October 3, 1868, Houston, SAC, Register of Complaints, December 1865-December 1868, reel 22; Bell Hooks, *Ain't I A Woman: Black Women and Feminism* (Boston: South End Press, 1981), 56-57; Gerda Lerner, ed., *Black Women in White America: A Documentary History* (New York: Random House, Inc., 1972), 149; Gutman, *Black Family in Slavery and Freedom*, 393-399; Case of L. Wolfrom vs. Mary Ann Hodge (fw), October 6, 1866, Galveston, SAC, Register of Complaints, June 1866-July 1868, reel 19.

<sup>14</sup> William H. Rock, Richmond, to J. T. Kirkman, July 4, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Complaint of Dr. John Donaldson (fm), June 5, 1867, Austin, SAC, Register of Complaints, June 1867-December 1868, reel 12; Schwalm, *Hard Fight For We*, 242-243; Stanley, *From Bondage to Contract*, 37; Case of Tony Hubert (fw), stepdaughter (fc) vs. John P. Cox, October 28, 1867, Centreville, SAC, Register of Complaints, July-October 1867, reel 14.

Field agents' moral persuasion came not only from encouraging marriage, but also with their educational efforts. Bureau men were responsible for the former slaves' intellectual, as well as moral, uplift. Although a complete delineation of the Freedmen's Bureau's educational work, curriculum, and composition of instructors is beyond this study, a quick summary is warranted. The organization did not establish schools per se. Instead, it financed and procured facilities for organizations committed to freedmen education. Based on northern educational institutions, "Bureau schools," as they came to be called, had been established since the agency's arrival in the state. Not until the Kiddoo administration in 1866, however, did education become a paramount concern. In fact, his labor policies notwithstanding, Kiddoo's efforts and interest in the freed population's minds – both adult and child – soon came to be one of the things that defined his tenure with the Freedmen's Bureau. He promised to make it a "specialty" in Texas. In light of the fact that Texas, considered by many in Washington as the "darkest field educationally in the United States," received a pittance in congressional monies for freedmen education, the work the agency and its agents accomplished was astounding. Under Kiddoo, enrollment reached its apex in 1866, which caused one observer to remark, "It was the year the whole race went to school." Kiddoo's interest influenced his field personnel to take more vigorous action toward the three Rs.<sup>15</sup>

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<sup>15</sup> Smallwood, *Time of Hope, Time of Despair*, 94, 6-7; J. B. Kiddoo to O. O. Howard, May 15, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Nehemiah McKinley Christopher, "The History of Negro Public Education in Texas, 1865-1900" (Ph. D. diss., University of Pittsburgh, 1948), 24; E. M. Gregory to O. O. Howard, April 18, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Sandra Eileen Small, "The Yankee Schoolmarm in Southern Freedmen's Schools, 1861-187: The Career of a Stereotype" (Ph.D. diss., Washington State University, 1976), 27-28; Joe M. Richardson, *Christian Reconstruction: The American Missionary Association and Southern Blacks, 1861-1890* (Athens: University of Georgia, 1986), 44; Jacqueline Jones, *Soldiers of Light and Love: Northern Teachers and Georgia Blacks, 1865-1873* (Chapel Hill: University of North Carolina Press, 1980), 9-14; Ronald E. Butchart, *Northern Schools, Southern Blacks, and Reconstruction: Freedmen's Education, 1862-1875* (Westport: Greenwood Press, 1980), 138-143; Henry Allen Bullock, *A History of Negro Education in the South: From 1619 to the Present* (Cambridge: Harvard University Press, 1967), 23; Robert C. Morris, *Reading, Riting, and Reconstruction: The Education of Freedmen in the South, 1861-1870* (Chicago: University of Chicago Press, 1981), xi; Circular No. 21, October 1, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, September 1865-March 1867, reel 19.

Where former slaves displayed a desire for education, most Bureau agents' responsibilities greatly increased. In those districts where freedmen lacked zeal for education, ironically, the attention of Bureau men to the subject was not any less. Officials at headquarters wanted their subordinates "to make a special report . . . pertaining to schools," specifying schools already in operation in their districts and "the character prospects and wants of each school." At first, these reports were simply letters to superiors; but by the organization's end, Bureau authorities had created a printed form with nearly two dozen questions for each field agent to answer (Kiddoo's successor, Charles Griffin, continued this expansion and oversight of field agents' responsibilities with education in early 1867). In addition, field agents had to suggest the number of schools they believed could be organized in their districts, the white community's disposition toward black education, and the ability to find board and housing for the teachers. Suitable buildings for classes had to be found, or each SAC could supervise the repair of dilapidated ones. If need be, they could make arrangements and supervise the construction of a new facility. "It is especially enjoined upon each" subassistant commissioner, Bureau officials instructed, "to make the organization of the Freedmen's Schools an essential and paramount part of his labor."<sup>16</sup>

What officials at Bureau headquarters delegated to their subordinates was quite broad. In fact, they made each Bureau man a "Superintendent of Freedmen's Schools for his District." That responsibility embodied everything short of actually teaching the courses. The agent at Columbia lectured superiors about their responsibility to pay the freedmen's teacher in his

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<sup>16</sup> Circular Letter No. 20, August 31, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; James D. Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill: University of North Carolina Press, 1988), 5. For Charles Griffin's requirements of his subordinates toward education, see Circular No. 4, March 29, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19, and Circular letter from [Charles Griffin], February 7, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

district. “I doubt whether he [teacher] can be again secured to teach freedmens [sic] school,” Patrick F. Duggan wrote, “as he expressed himself dissatisfied with the treatment he has received and now looks upon the government officers with suspicion.” William H. Rock at Richmond encouraged students through prizes for superior work. Edwin Miller at Millican disciplined students in order to keep them attentive. “I have therefore made it my business to visit the school 2 or 3 times every week,” Miller wrote, “and by a system of bestowing praise and little presents upon the best behaved, honest, and most improved.” Louis W. Stevenson arrested a teacher who abused his pupils. Alex Coggeshall, like so many other agents, discovered his duties often cost him money out of his pocket. O. E. Pratt realized that his responsibility meant defending the schools against speeches and conversations that “cast odium upon the Bureau schools.”<sup>17</sup>

Of all the educational responsibilities for Bureau agents, protecting the teachers from the white community was paramount. In the state capital, an incident started when a white boy came by the freedmen’s teacher’s house for several weeks, calling the white teacher’s children black and harassing the man’s wife. Tired of the abuse, E. B. Reynolds, the teacher, stepped out one day and met the young boy in the street. After warning the boy to stop with his verbal abuse, the teacher told him to turn around and go the other way and not come back that way again. At that moment, stated Reynolds, the boy produced a pocket knife and threatened to “cut my God damn guts out.” The teacher picked up a stick “to put a scare in him” but discovered there “was no

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<sup>17</sup> Circular No. 4, March 29, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, July 1, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, August 23, 1867, SUP, Letters Received, 1866-1867, reel 3; Edwin Miller, Millican, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, March 30, 1867, SUP, Letters Received, 1866-1867, reel 4; O. E. Pratt, Austin, to [Headquarters], September 15, 1866, AC, Letters Received, 1866-1867, reel 7; William H. Rock, Richmond, to J. T. Kirkman, A.A.A.G., AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Louis W. Stevenson, Columbus, to J. P. Richardson, A.A.A.G., April 23, 1868, AC, Letters Received, 1867-1869, reel 15; Alex Coggeshall, Bastrop, to E. M. Wheelock, Superintendent of Schools, January 9, 1867, SUP, Letters Received, 1866-1867, reel 3.

scare in him.” Reynolds grabbed the boy’s wrist and wrestled the knife away. After telling the boy to get to school, Reynolds let him go. Instead of going to school, the boy went home and told his father and uncle about the incident. The boy’s father and uncle complained to local officials. On their complaint, local authorities fined Reynolds, who could not pay the fine and was jailed. According to the teacher’s wife, the town folk bragged that they “have got the damned old son of a bitch right where they want him and they intend to keep him there as long as they can.” Reynolds believed that he was arrested because of his occupation and political beliefs. Charles Haughn at Waco also had to protect a Bureau teacher from persecution by local authorities. Falls County authorities indicted William H. Adams for fornication. Haughn believed the whole event “a case of malicious prosecution” and had Adams released from civil custody.<sup>18</sup>

Liberty agent A. H. Mayer lobbied for one teacher’s salary to be increased. More than a few SACs believed low salaries hindered their search for competent teachers. Showing that necessity is the mother of invention, James P. Butler at Brownsville “devoted the most of my time” to prepare black soldiers to be teachers. Mortimer H. Goddin, the agent at Livingston, donated some of his land for a freedmen’s school. To him, freedmen’s schools were to be places where freedpeople could be educated about who their true friends were. James C. Devine at Huntsville, an agent who zealously supported the Freedmen’s Bureau’s educational efforts, paid close attention to each student’s progress. Other agents evaluated the teachers’ progress, instructing them “to be more particular with elementary lessons, imparting to the children a clear

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<sup>18</sup> E. B. Reynolds to [Byron Porter], Austin, October 21, 1866, SAC, Letters Sent, October 1866-May 1867, reel 12; Elizabeth Reynolds to [Byron Porter, Austin], October 3, 1866, SAC, Letters Sent, October 1866-May 1867, reel 12; Charles Haughn, Waco, to [J. J. Reynolds], September 16, 1868, AC, Letters Received, 1867-1869, reel 12.

and distinct knowledge and mind to each letter before advancement.”<sup>19</sup>

SACs greatly influenced the implementation and success of the Freedmen’s Bureau’s educational policy. They influenced it by their zeal or apathy for freedmen education, their knowledge or ignorance about the white citizens and freedmen in their subdistricts, and their general competence or incompetence as subassistant commissioners. Bureau men such as Isaac M. Beebe, Ira H. Evans, David L. Montgomery, Charles F. Rand, George T. Ruby, John M. Morrison, and E. M. Wheelock, who eventually was appointed Superintendent of Schools, took great interest in the former slaves’ education. Making multiple visits to their schools and extensive surveys for possible school sites, these, as well as many other men, approached freedmen education as the “only and lone hope of attaining that elevation which they so anxiously seek.” While these men displayed zeal for freedmen education, others did not. Others, due to apathy, neglect, or the simple fact that certain duties, like contracting, took precedence, gave only limited attention to the former slaves’ education. “I intended to address you some time ago on the subject of establishing . . . schools,” Alfred T. Manning stated, “but my whole time had been taken up by my office duties.” Joshua L. Randall, who repeatedly criticized the freedpeople in Robertson County for their sloth, irresponsibility, ignorance, and inability to follow directions, believed education was superfluous for them. “The Freedmen’s labor,” he believed, “is amply sufficient for all his wants.”<sup>20</sup>

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<sup>19</sup> James C. Devine, Huntsville, to E. M. Wheelock, Superintendent of Schools, March 1, 1867, SUP, Letters Received, 1866-1867, reel 3; James P. Butler, Brownsville, to E. M. Wheelock, Superintendent of Schools, February 28, 1867, Letters Received, 1866-1867, reel 3; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., June 25, 1867, AC, Letters Sent, 1866-1867, reel 5; A. H. Mayer, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, June 15, 1867, SUP, Letters Received, 1866-1867, reel 4; Mortimer H. Goddin, Livingston, to [Charles Griffin], April 19, 1867, AC, Letters Received, 1866-1867, reel 5.

<sup>20</sup> Henry Sweeney, Marshall, to Joseph Welch, Superintendent of Education, September 25, 1868, SUP, Letters Received, 1868-1870, reel 8; Alfred T. Manning, Waco, to E. M. Wheelock, Superintendent of Schools, January 1, 1866, SUP, Letters Received, 1866-1867, reel 4; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Isaac M. Beebe, Marshall, to E. M. Wheelock, Superintendent of Schools, June 21, 1866, SUP, Unregistered Letters Received, 1866-1867 and

The development of freedmen education was an easier task for some in Texas, especially those stationed where the white community assisted in the endeavor. But for others, the task proved more difficult, as whites were disgusted at the daily sight of “[l]ittle niggers as well as grown ones” going to school. For those without the white community’s assistance, Texas truly was the “darkest field educationally.” Bureau agent Hardin Hart at Greenville stated that the “white people will not interfere with the Bureau educating the negroes but are not willing to give State[,] county[,] or individual assistance. . . .” Agent L. S. Barnes wrote that he could not find a building to rent as a freedmen’s school and thought it impossible to get a white person to rent him another for that purpose. At Bastrop, Alex B. Coggeshall informed Bureau authorities that the white owner of a building that had been chosen as the school had changed his mind. The man had the support of influential townsfolk, Coggeshall wrote, and “he will not give up the building.” Incensed by this reversal, Coggeshall threatened to remove the freedmen from the area, greatly affecting the district’s labor pool. “The whites of my Dist appear to quietly acquiesce on the effort made to educate the freedpeople,” reported John H. Archer at Beaumont, “but most certainly have no disposition to aid the work [believing] that the ‘nigger’ should educate themselves.” Mahlon E. Davis in Harris County bluntly informed superiors that without “the Assistance of the Bureau very little would be Accomplished in the way of Education.” The very concept of educating the former slaves, he wrote, “is quite repugnant to the feeling of the

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1869-1870, reel 10; Ira H. Evans, Wharton, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, July 31, 1867, SUP, Letters Received, 1866-1867, reel 3; David L. Montgomery, Tyler, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, June 14, 1867, SUP, Letters Received, 1866-1867, reel 4; C. C. and C. E. Coleman, teachers, to E. M. Wheelock, Superintendent of Schools, December 30, 1866, SUP, Letters Received, 1866-1867, reel 3; Crouch, “Black Education in Civil War and Reconstruction Louisiana,” 287-308; Charles Kassel, “Educating the Slave – A Forgotten Chapter of Civil War History,” *Open Court* 40 (1927): 239-256; Joshua L. Randall, Sterling, to J. P. Richardson, A.A.A.G., [October 1867], AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

Texas *Chivalry*.”<sup>21</sup>

The Texas white community threw up only some of the obstacles faced by field agents. Those agents in the field complained that some communities of freedmen appeared not very interested in education. For the most part, they were incapable of “making present sacrifice for a far off good.” In Round Top, H. S. Howe reported that “Both white and black are indifferent in regard to the subject of education.” In late 1866 John H. Archer, who also experienced resistance from the white community about educating the former slaves, threw his hands up in frustration with the freedmen in his district. “I have been trying ever since I came here to get the Freedpeople to subscribe sufficient energy to make the building comfortable, which I know they are able to do,” he wrote. “I however see no prospect of getting it down by them as it seems impossible to get them to understand the importance of education & I confess I am almost tired of lecturing them upon the subject. . . .” J. H. Bradford at Centreville commented on how the white community showed more interest in freedmen education than “displayed by the freedpeople themselves.” John Dix informed superiors that the freedmen in Corpus Christi “were not so anxious” about education. “[L]ike other uneducated people,” he concluded, “they do not know how to appreciate it.” A. H. Mayer observed that the freedpeople’s “heart is not in the matter.” Mayer’s successor, A. H. Cox, reported that freedmen education in Liberty “appears to be a dead letter.” Nesbit B. Jenkins remarked in late December 1868 that his best efforts

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<sup>21</sup> *Austin Weekly Southern Intelligencer*, February 22, 1868; Frederick Eby, *The Development of Education in Texas* (New York: The Macmillan Company, 1925), 157; Hardin Hart, Greenville, to Charles Garretson, A.A.A.G., September 25, 1867, Letters Received, 1866-1867, reel 3; Alex B. Coggeshall, Bastrop, to E. M. Gregory, Superintendent of Schools, January 12, 1867, Letters Received, 1866-1867, reel 3; John H. Archer, Beaumont, to J. P. Richardson, A.A.A.G., November 1867, SUP, Letters Received, 1866-1867, reel 3; Barbara J. Hayward, “Winning the Race: Education of Texas Freedmen Immediately After the Civil War” (Ph. D. diss., University of Houston, 1999), 212; Mahlon E. Davis, Houston, to C. S. Roberts, A.A.A.G., October 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; L. S. Barnes, Crockett, to E. M. Wheelock, Superintendent of Schools, February 22, 1866, Unregistered Letters Received, 1866-1867 and 1869-1870, reel 10; D. T. Allen, Assistant Superintendent of Schools, to J. T. Kirkman, A.A.A.G., June 1, 1867, SUP, Letters Received, 1866-1867, reel 4.



proved ineffective due to freedmen apathy. In short, some Bureau men were frustrated with the freed community's attitude about education and believed they "are not doing as much towards education as they ought and could do if they would."<sup>22</sup>

Apathy notwithstanding, Bureau men focused a great deal of their attention on the former slaves' inability to pay tuition. Throughout the Freedmen's Bureau's existence in Texas, assistant commissioners instituted, dropped, and reinstated school tuition, which ranged from free to \$.50 to \$1.50 per month. "[T]hey are alive to the importance of educating their children," wrote James P. Butler from Huntsville, "but in most cases they are poor & unable to pay [the tuition]." Edwards Collins admitted that "*Lack of means* alone has prevented me from having a large and flourishing school at this place." J. R. Fitch empathized with the freedmen's situation and "promised them that if they would push on the Building, the Bureau would finish it, *provided* they were unable to procure means enough to finish it." According to James F. Grimes, the Bureau school in Nacogdoches had to be shut down "owing to the impoverished condition of the freedmen, who are totally unable to pay the tuition fees."<sup>23</sup>

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<sup>22</sup> H. S. Howe, Round Top, to J. P. Richardson, A.A.A.G., November 30, 1867, SUP, Letters Received, 1866-1867, reel 3; John H. Archer, Hempstead, to E. M. Wheelock, Superintendent of Schools, SUP, Letters Received, 1866-1867, reel 3; J. H. Bradford, Centreville, to Charles Garretson, A.A.A.G., AC, Reports of Operations and Conditions, September-October, 1867, reel 22; John Dix, Corpus Christi, to J. T. Kirkman, A.A.A.G., [August 1867], AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Nesbit B. Jenkins, Wharton, to Joseph Welch, Superintendent of Education, December 31, 1868, SUP, Letters Received, 1868-1870, reel 6; Anthony M. Bryant, Sherman, to J. P. Richardson, A.A.A.G., October 31, 1867, SUP, Letters Received, 1866-1867, reel 3; A. H. Mayer, Liberty, to Charles Garretson, A.A.A.G., October 1, 1867, SUP, Letters Received, 1866-1867, reel 4; A. H. Cox, Liberty, to Charles A. Vernou, A.A.A.G., December 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28. For other examples of lack of freedmen support for education, see S. H. Starr, Mount Pleasant, to Charles Garretson, A.A.A.G., October 4, 1867, SUP, Letters Received, 1866-1867, reel 4.

<sup>23</sup> James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., November 30, 1867, SUP, Letters Received, 1866-1867, reel 3; Edward Collins, Brenham, to [J. T. Kirkman, A.A.G., Superintendent of Schools], April 1, 1867, SUP, Letters Received, 1866-1867, reel 3; J. R. Fitch, Indianola, to [J. T. Kirkman, A.A.G., Superintendent of Schools], May 7, 1867, Letters Received, 1866-1867, reel 3; James F. Grimes, Nacogdoches, to J. P. Richardson, A.A.A.G., February 4, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Hayward, "Winning the Race," 42, 95; Circular No. 3, February 12, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869; General Orders No. 19, November 25, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

Besides reporting on the educational efforts in the districts, which greatly increased their workload, a good portion of the Bureau agents' time was taken up with protecting both the students and the teachers. Despite most white Texans' grudging acceptance of freedmen education and, at times, an inconsistent and apathetic approach to the subject by whites, some open resistance still existed. This resistance, especially prior to 1868, was aimed primarily at the teachers of these schools. As freedmen's school historian Sandra Eileen Small noted, Bureau agents could win acceptance from the white community, but freedmen's teachers generally could not. Most white southerners resented "Yankees" indoctrinating the former slaves against their former masters, teaching social equality between the races, and using the schools for partisan, political purposes. White southerners preferred fellow white southerners as teachers. They could be trusted to uphold southern needs and sensibilities. In short, opposition stemmed mainly from who taught in the Bureau schools.<sup>24</sup>

Bureau men took great pains to recommend the "right" person to superiors as a teacher, partly for the students' sake and partly for their sake. Certainly agents wanted individuals who could teach. But they were also looking for something else. These men recommended individuals who would not add to their already sizable workload or, more important, unnecessarily exacerbate white resistance. Some SACs preferred single men because it was easier to protect them. Men, either single or married, had an authoritarian presence in the classroom not possessed by women. Furthermore, field agents found it easier to find room and board for men compared to women. A few desired married men, for they would "not only add to

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<sup>24</sup> Small, "The Yankee Schoolmarm in Southern Freedmen's Schools," 29; Henry Lee Swint, *The Northern Teacher in the South, 1862-1870* (Nashville: Vanderbilt University Press, 1941), 35-68, 82-83, 92-95, 136; Abbott, *Freedmen's Bureau in South Carolina*, 122-123, 129; Martin Abbott, "The Freedmen's Bureau and Negro Schooling in South Carolina," *South Carolina Historical Magazine* 56 (Spring 1956): 75; Alton Hornsby, Jr., "The Freedmen's Bureau Schools in Texas, 1865-1870," *Southwestern Historical Quarterly* 76 (July 1972-April 193): 398; *Flake's Daily Bulletin*, February 10, 1867.

the morale, but would have a tendency to elevate the manners and social habits of the colored people.” Charles Haughn at Waco wanted male teachers whose actions would not “give the rebels too good a chance to cry ‘Scalawag’ . . . .” Nesbit B. Jenkins at Wharton, frustrated with the lack of adequate teachers because the “good and faithful” have been driven off, looked for someone not “sordid,” “mean,” “too low to be hurt by insult,” or “indifferent to contempt.” Still, other Bureau men did not have the luxury to be so choosy due to conditions in the subdistrict or their inability to find willing and competent people. “I have not much confidence in him [the current teacher],” stated Thomas Bayley at Marshall, “but he is the only one I can get here.” A few Bureau men, whenever the freedpeople resisted white teachers and when they could find qualified black applicants, recommended black men and women as teachers. White Texans, for the most part, preferred these instructors to the more “dangerous” northern white ones.<sup>25</sup>

Some Bureau agents preferred women teachers, for they had a “beneficial effect” on the students. “Some complaints [have] been made to me about the teacher being a man,” wrote James Jay Emerson. “They seem to think a Lady teacher would give more satisfaction.” At San Antonio, Edward W. Whittemore wanted female teachers for the same reason. Despite these cases, a number of men shied away from recommending women teachers for no other reason than it was difficult to obtain lodging for them. Some in the white community viewed these women as no better than “common prostitutes” for their work with the former slaves and thus, refused to house or associate with them. In essence, they had lost “caste” and had taken “rank

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<sup>25</sup> William H. Rock, Richmond, to Charles A. Vernou, A.A.A.G., November 8, 1868, SUP, Letters Received, 1868-1870, reel 7; Charles Haughn, Waco, to [Headquarters], September 30, 1868, SUP, Letters Received, 1868-1870, reel 6; Nesbit B. Jenkins, Wharton, to Joseph Welch, Superintendent of Education, December 31, 1868, SUP, Letters Received, 1868-1870, reel 6; Thomas Bayley, Marshall, to E. M. Wheelock, Superintendent of Schools, September 20, 1866, SUP, Unregistered Letters Received, 1866-1867 and 1869-1870, reel 10; Jackson, “Family and Freedom.” 96-97, 101-102. For complaints by Bureau agents about the difficulty in obtaining lodging for white women teachers, see Edwin Miller, Millican, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, April 30, 1867, SUP, Letters Received, 1866-1867, reel 4 and Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, September 7, 1868, SUP, Letters Received, 1866-1867, reel 3.

below a nigger.” Although white southerners aimed these epithets at northern women indiscriminately, field agents did not want a woman who readily provided whites with ammunition. In the words of Charles F. Rand at Marshall, “I . . . am pleased to say [the] selection for so important a point of such worthy teachers makes the duty a pleasant one of assisting and protecting them and their well regulated school from imposition and abuse. . . .”<sup>26</sup>

Being “ladies” or “gentlemen” was paramount because any “indiscretions,” actual or perceived, ultimately had to be dealt with by the subassistant commissioners. The teacher in Columbus unnecessarily drew the ire of the local white residents when she took all-night buggy rides with an army officer. When reported to agent J. Ernest Goodman, who realized the problem her actions caused to the overall freedmen’s educational effort, he quickly relayed her conduct up the chain of command. Bureau officials promptly dismissed her. The Bureau man at Brenham had problems when students paraded down the streets singing songs the Bureau teacher had taught them that belittled former President of the Confederacy Jefferson Davis. Bureau authorities realized the song’s inflammatory content and advised teachers and SACs alike to refrain from teaching students the more “sectional” songs.<sup>27</sup>

At Hempstead, William Van Horn disputed with a local editor about the conduct of one of the Bureau school teachers. The paper reported that this “schoolmarm,” dressed in male attire, including mustache, was seen entering a male teacher’s house. According to the newspaper, local police were suspicious of her attire and walk and the fact that she stayed at a male teacher’s

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<sup>26</sup> James Jay Emerson, Waco, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, May 31, 1867, SUP, Letters Received, 1866-1867, reel 3; Louis W. Stevenson, Columbus, to J. P. Richardson, A.A.A.G., April 30, 1868, SUP, Letters Received, 1868-1870, reel 7; Charles F. Rand, Marshall, to E. M. Wheelock, Superintendent of Schools, March 4, 1867, SUP, Letters Received, 1866-1867, reel 4; Edward W. Whittemore, San Antonio, to Brvt. Brig. Gen Johnathan S. Mason, San Antonio, May 18, 1867, SUP, Letters Received, 1866-1867, reel 4.

<sup>27</sup> Morris, *Reading, Riting, and Reconstruction*, 133; Hayward, “Winning the Race,” 80; William H. Sinclair, A.A.G., to J. Ernest Goodman, Columbus, July 19, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

residence. She was arrested but released shortly thereafter. On orders, Van Horn investigated the matter. He discovered that the editor who wrote the article distorted the circumstances and wrote the article purely as a polemic against the teacher. Bureau and military officials showed interest in the editor's actions and words, but ordered Van Horn only to continue to observe the editor's actions. One Bureau teacher at Woodville angered someone in the community enough that the local attempted to kill the educator. Instead, the unknown assailant shot and wounded the Bureau agent, who shared the same bedroom with the male teacher. These few examples show how a Bureau teacher's behavior directly affected Bureau agents. Field agents appreciated propriety in female teachers. John H. Archer warned superiors not to send any female teachers unless you can definitely "recommend her *as a lady*." Most definitely, Charles F. Rand spoke for many fellow Bureau agents when he remarked that "I am pleased to say that your selection for so important a post of such variety teachers makes the duty a pleasant one of assistant and protecting them and their school from imposition."<sup>28</sup>

This close contact between Bureau teachers and SACs, at times, caused friction. In fact, several run-ins occurred. At San Antonio, John H. Morrison had a problem because the Bureau teacher "abused" military and Bureau personnel. The teacher disseminated false information and claimed that he did not have to answer to the local subassistant commissioner. Morrison requested that the teacher be removed, for he "is not a good man[,] is very unpopular with the Freedmen [and] has not a friend in them and I do not think many any where." While in Houston, Byron Porter ordered the Bureau teacher's arrest after he tried to steal the school's funds. In the

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<sup>28</sup> J. H. Archer, Hempstead, to E. M. Wheelock, Superintendent of Schools, January 7, 1867, SUP, Letters Received, 1866-1867, reel 3; Charles F. Rand, Marshall, to Edwin M. Wheelock, Superintendent of Schools, March 4, 1867, SAC, Letters Sent, December 1866-December 1868, reel 21; C. E. Coleman to [E. M.] Gregory, April 25, 1866, AC, Letters Received, 1866-1867, reel 4; William Van Horn, Houston, to Brvt. Maj. Gen. Samuel P. Heintzelman, Commander, District of Texas, April 14, 1868, AC, Letters Received, 1867-1869, reel 16; L. H. Sanger, Woodville, to A.A.A.G., District of Texas, August 4, 1867, SAC, Letters Received, 1866-1867, reel 8.

summer of 1867 Patrick F. Duggan had many questions about the school in his district. A preacher affiliated with the Methodist Episcopal Church seemed more inclined to use the building for religious services than for educational purposes. He dismissed Duggan's advice during the building's construction, which greatly added to its cost and left the structure only partially completed. Duggan, desiring the building to be completed, approached the preacher to give "me a lien deed upon the house for school purposes [so] I could finish it." Instead of "meeting me in the same spirit," Duggan reported, the preacher "held a religious meeting and collected [money] with which to pay for covering the house [and] determined it possible to defeat my plans." DeWitt C. Brown at Paris had a dispute with C. C. Granger. The husband of the local Bureau teacher, Granger believed Brown derelict in his duties. He wrote to Bureau officials in Galveston to describe a reign of terror in the county and pleaded for protection for the freedmen. Granger claimed that nearly a dozen freedmen had been murdered in the last two weeks of April 1868. Brown received a copy of Granger's letter and responded in a letter to superiors. With little exaggeration of the disposition and attitudes of the whites toward Unionists and freedpeople in his district, Brown freely admitted the Rebels "seek every opportunity to degrade them." Their spirit, the Bureau man continued, was "sufficiently bitter to prompt them to commit any outrage upon the freedpeople that a corrupt and vicious public opinion could suggest." In spite of it all, Brown wanted superiors to know that "I would respectfully inform the Assistant Commissioner there is not a word of truth in the statement of C. C. Granger that nine Colored men were killed in cold blood or warm blood or any other kind of blood." After giving the details to the one murder in his district, Brown wondered how Granger "understand[s] my business so much better than myself."<sup>29</sup>

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<sup>29</sup> John H. Morrison, San Antonio, to [Charles] Griffin, July 8, 1867, AC, Letters Received, 1866-1867, reel 7; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., August 8, 1867, SUP, Letters Received, 1866-1867,

At Columbus, Enon M. Harris, along with his wife and mother, questioned the chastity of two unmarried American Missionary Association teachers. (The A.M.A. was the chief philanthropic organization in the South to help the freedmen, and it provided teachers for freedmen's schools). Favoring "Bureau teachers," he believed A.M.A. teachers "have too many advisors in traveling ministers who inform them that the Sub Assistant Commissioners have nothing to do with their schools." In a similar vein, Harris's successor also disliked the benevolent society and "perceived the uselessness of expending government funds for the benefit of any particular religious denominations." Bureau teacher Fannie Campbell wrote to Bureau officials about the SAC in the city of Austin. She expressed her delight with Byron Porter's departure and lobbied against him ever being sent back. "I hope [he] may not" be returned, she wrote to Bureau officials, "I do not think a man so callous to all that is just and honorable as he has shown himself in his treatment of me deserves to prosper." Because she believed Porter had treated her badly, Campbell admitted that she was a "little afraid of the next one [Bureau agent]." At Brenham, Samuel A. Craig got into a dispute when he insisted that the freedmen's teacher report to him as directed by Bureau officers. The teacher had previously reported directly to the Superintendent of Schools and resisted the order. He claimed that Craig infringed on his independence. Several other field agents also experienced resistance from teachers when Kiddoo's successor, Charles Griffin, authorized Bureau men to be school inspectors and ordered all teachers to report to the agent directly. Although Bureau men and teachers disputed, these instances were the exception, not the norm. Most field agents and teachers had amicable relations, with a few like Byron Porter eventually marrying a Bureau teacher and others like

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reel 3; DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., May 20, 1868, AC, Letters Received, 1867-1869, reel 10; Telegram from Byron Porter, Houston, to William H. Sinclair, A.A.G., July 6, 1866, AC, Letters Received, 1866-1867, reel 7.

James P. Butler having wives who taught at Bureau schools. Protecting Bureau schools for these men took on a whole new meaning.<sup>30</sup>

In conjunction with the three Rs, Bureau men also had to educate the freedpeople about morality, or as one Bureau man put it, to be “mindful of their morals.” Commissioner Howard, renowned for his Christian values and moral compass, placed high stock in the moral guidance of the freedmen. “This work of education must be Christian,” he once told a crowd. “[P]ractically no school can be separated from Christian influence unless it be taught by an infidel.”

Intemperance, adultery, and vice were all seen as the acts of slaves, not citizens. “The question of moral training should [be] the test of qualification as well as intellectual acquirements,” wrote F. P. Wood. On his tours, George T. Ruby, the only black subassistant commissioner to serve in Texas, made it practice always to lecture the freedmen on temperance and contribute to their moral support. Officials at headquarters, in fact, even sent him throughout the state to encourage freedmen to develop “temperance societies.” Louis W. Stevenson wanted a copy of the Lincoln Temperance Society’s rules to give to those interested in his subdistrict. At Jasper, James C. Devine beamed with happiness when he informed superiors that “I have not seen a drunken colored man in this county.” The same could not be said for the whites in his subdistrict.<sup>31</sup>

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<sup>30</sup> Enon M. Harris, Columbus, to J. T. Kirkman, A.A.G., Superintendent of Schools, June 14, 1867, SUP, Letters Received, 1866-1867, reel 3; Patrick F. Duggan, Columbus, to J. T. Kirkman, A.A.A.G., Superintendent of Schools, July 25, 1867, SUP, Letters Received, 1866-1867, reel 3; Fannie Campbell to E. M. Wheelock, Superintendent of Schools, February 11, 1867, SUP, Letters Received, 1866-1867, reel 3; Bill Stein, “Consider the Lily: The Ungilded History of Colorado County, Texas,” *Nesbitt Memorial Library Journal* 9 (January 2000): 13; Richter, *Overreached on All Sides*, 128; Endorsement of letter from M. Hartwell to William H. Sinclair, A.A.G., August 19, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Howard, *Autobiography*, 2:343.

<sup>31</sup> A. P. Delano, Marlin Falls, to Chauncey C. Morse, A.A.I.G., AC, Letters Received, 1866-1867, reel 5; “Education of the Colored Man,” Speech by O. O. Howard, date unknown, Oliver Otis Howard Papers, Moorland-Spingarn Research Center, Howard University, Box 53-2, Folder 88, Washington, D.C.; F. P. Wood, Brenham, to Joseph Welch, Superintendent of Education, December 31, 1868, SUP, Letters Received, 1868-1870, reel 9; Special Orders No. 77, July 17, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; James C. Devine, Jasper, to J. T. Kirkman, A.A.A.G., July 30, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; O. O. Howard to J. W. McKim, March 11, 1867, AC, Letters Received, 1866-1867, reel 6; George T. Ruby, Traveling Agent, to J. T. Kirkman, A.A.A.G., Superintendent of



For some men in the field, intemperance among the former slaves reached levels that called for drastic measures. Agent John F. Brown wanted an order to prohibit the sale of liquor to them, for “it would accomplish more good for the human family than any former order issued.” Unwilling to go to such extremes, Bureau authorities instead wanted subordinates to lead “by example.” Through their influence, officials hoped, Bureau agents “can have [influence] over them in representing to them the evil effects and evil consequences that follow.” According to many field agents, liquor dealers were a big part of the problem. “I must earnestly request and recommend you to give up the liquor selling,” agent Byron Porter stated to a freedman who ran a draw shop in Wallisville, “and seek some more honest and reputable means of gaining a livelihood.” For other Bureau agents, sexual indiscretions were the focus. James P. Hutchison at Columbia took vigorous action against fornication by fining perpetrators \$100 to \$500 dollars, “dependent on length of cohabitation.” J. W. McConaughey in Wharton admitted the difficulty in moral persuading. “[I]n many instances [I] found unwilling subjects or inattentive ears[,] yet habit . . . has a controlling influence upon them,” he wrote. Only time “can . . . revolutionize these habits or opinions.” Bureau agents wanted freedmen to know that good citizens not only worked but also lived a principled life. These men believed the former slaves’ moral growth necessary for their civic growth. They not only impressed upon freedmen and women their obligations as citizens and Christians, but also attempted to correct decades of degradation. They wanted to place the freedpeople on a path to what they considered righteousness. At times, that meant changing behavior through force, like legal action through civil or Bureau courts, or “by example.” Bureau agents served not just as government officials

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Schools, August 12, 1867, SUP, Letters Received, 1866-1867, reel 4; Louis W. Stevenson, Columbus, to O. O. Howard, March 20, 1868, SAC, Letters Received, July 1867-December 1868, reel 18.

but also, as Freedmen's Bureau historian Paul A. Cimbala points out, "as missionaries and teachers."<sup>32</sup>

During Kiddoo's administration, the Freedmen's Bureau became much more organized than during Gregory's tenure. The organization began to take on the look of a true bureaucracy: rigid chain of command, greater oversight, and, most important, an endless amount of paper work. In 1866 Kiddoo mandated that each field subordinate report monthly to Bureau headquarters, documenting everything from the labor situation to white violence, from education to hardships experienced in the performance of their duty. This allowed for an immense amount of information to flow in to Bureau headquarters in Galveston, and according to some, greatly altered the role of field personnel. Bureau historian William L. Richter called Bureau agents "glorified clerks," while another historian, Robert Harrison, remarked that the Freedmen's Bureau acted like "a giant intelligence office." A Bureau man in South Carolina commented about the heavy load of paper work expected from Bureau officials in that state. He was certain the "Romans conquered the world because they had no paper." He only wished that a Roman headed the War Department. In fact, Commissioner Howard prided himself on the comprehensiveness of his agency's reports. Since military procedures governed Freedmen's Bureau record keeping and accounting, officials at headquarters in the Lone Star State expected all forms to be filled out correctly and promptly, and to many agents, superiors' attention to detail created delays, indecision, and general inefficiency. In fact, a perusal of the Freedmen's

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<sup>32</sup> John F. Brown, Grimes, to [E. M.] Gregory, February 1866, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, A.A.G., to John F. Brown, Grimes, March 8, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; Byron Porter, Houston, to Henry Patterson (fm), December 8, 1865, AC, Letters Sent, September 1865-March 1867, reel 1; James P. Hutchison, Columbia, to J. T. Kirkman, A.A.A.G., April 30, 1867, SAC, Letters Sent and Register of Letters Received with Endorsements, April 1867-November 1868, reel 15; J. W. McConaughy, Wharton, to J. T. Kirkman, A.A.A.G., April 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Cimbala, *Under the Guardianship of the Nation*, 50; Circular Letter from O. O. Howard, May 15, 1867, AC, Letters Received, 1866-1867, reel 6.

Bureau's records shows that nearly all the SACs, for one reason or another, had some form of paper work returned for corrections. Some never mastered the art of correctly filling out their reports, repeatedly having their paper work returned or rejected, despite being shown the proper way again and again by headquarters personnel.<sup>33</sup>

Bureau officials' attention to detail helped "circumscribe" any "opportunity for official conduct contrary to directives." For example, Alex B. Coggeshall at Bastrop, at times, described his position as "a perfect sinecure." Soon, however, charges were made against him. It was claimed that Coggeshall and his brother-in-law, Julius Schultze, had provided workers to planters in return for kickbacks. Although Coggeshall was never specifically identified by name, his activities appeared in the *Galveston Daily News*. "Between the Bureau man and his Subs," the editorial went, "they have the [crop] in soak, and unless a man can get in with them he cannot get any hands." Coggeshall was reassigned and replaced by Byron Porter, who investigated the accusations against his predecessor. He believed that the former Bureau man had covered his tracks through shoddy record keeping. "His papers appear to be in a state of great confusion," Porter reported. "I would suggest that the contracts approved by him be carefully examined." Coggeshall defended his actions, claiming he did nothing wrong, and apologized that "I was not born a clerk." He also pointed out that he rented farms to the freedmen, which greatly angered the planters. In fact, the planters often referred to him as that "Damned Dutchman." In addition, Coggeshall's prominent brother-in-law, who was described by one SAC as an "outspoken thoroughgoing Radical Union man," had very prominent friends. As chief justice of Bastrop County immediately following the war, Schultze knew very "prominent loyal men in Western

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<sup>33</sup> Richter, *Overreached on All Sides*, 157; Robert Harrison, "Welfare and Employment Policies of the Freedmen's Bureau in the District of Columbia," *Journal of Southern History* 77 (February 2006): 108; De Forest, *Union in Reconstruction*, 87-88; Cox and Cox, "General Howard and 'Misrepresented Bureau,'" 429-430; Olds, "Freedmen's Bureau as a Social Agency," 127; Everly, "Freedmen's Bureau in the National Capital," 19; White, "Black Lives, Red Tape," 242.

Texas,” like former governor A. J. Hamilton and Judge James Bell. In the end, Bureau officials exonerated the agent of the charges, but reminded him on the importance of proper record keeping. Thus, Coggeshall remained a SAC until his muster out and relief in early 1867, but returned as a civilian agent in July 1868.<sup>34</sup>

Since many of the agents in the field, particularly civilian agents, did not know the ins-and-outs of military record keeping, problems persisted between those at headquarters and their subordinates. Bureau authorities often complained about unorganized and improperly filled out records. William H. Sinclair, while on an inspection tour of subdistricts southwest of Houston, noted the “records of the [agents’] offices are very incomplete.” One Bureau agent responded to his superiors’ questions about his report that, “All I could have done would have been to forward a blank, stating therein that I had nothing to insert.” After succeeding J. Orville Shelby at Liberty, A. H. Mayer discovered that his predecessor had kept no records of his Bureau business. Each time Mayer tried to contact Shelby about “such & such case,” he “forgets” or “guess[es] at it.” Shelby’s neglect of his records greatly affected Mayer’s ability to keep accurate and orderly records. Fred W. Reinhard was accused of “having shown a total disregard of every Circular order relating to his reports of Persons.” The Bureau man at Cotton Gin, Charles E. Culver, was

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<sup>34</sup> Alex B. Coggeshall, Bastrop, to [J. B. Kiddoo], October 2, 1866, AC, Letters Received, 1866-1867, reel 4; Cox and Cox, “General Howard and ‘Misrepresented Bureau,’” 430; Byron Porter, Austin, to J. B. Kiddoo, January 25, 1867, AC, Letters Received, 1866-1867, reel 7; *Galveston Daily News*, January 13, 1867; Byron Porter, Bastrop, to J. R. Kirkman, A.A.A.G., June 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Alex B. Coggeshall, Bastrop, to Chauncey C. Morse, A.A.A.G., February 25, 1867, AC, Letters Received, 1866-1867, reel 4; Alex B. Coggeshall, Bastrop, to William H. Sinclair, A.A.G., January 18, 1867, AC, Letters Received, 1866-1867, reel 4; Julius Schultz to J. B. Kiddoo, January 22, 1867, AC, Letters Received, 1866-1867, reel 8; Special Orders No. 6, January 11, 1867, AC, Issuances and Rosters of Personnel and Special Orders Received, October 1865-April 1869, reel 19; C. V. Shafer, et. al., to [J. T. Kirkman], A.A.A.G., [1867], AC, Letters Received, 1866-1867, reel 8; Julius Schultze, et. al., to Chauncey C. Morse, A.A.A.G., [1865], AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Sinclair, A.A.G., to Alex B. Coggeshall, Bastrop, January 15, 1867, Letters Sent, April 1866-September 1867, reel 2; William H. Sinclair, A.A.G., to Alex B. Coggeshall, Bastrop, February 18, 1867, AC, Letters Sent, April 1866-September 1867, reel 2; Special Orders No. 15, February 13, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 22, February 20, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 42, July 13, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869.

told “that the clerks at these Headquarters have business of more importance requiring their attention than the making out of retain copies of Reports for Sub Asst Commrs.” Culver was condescendingly reminded that “Agents of this Bureau are not supposed to dispatch business in a hurried and careless manner.” In response to agent John Dix sending accounts dealing with crimes during the war, superiors informed him that the “accounts have nothing to do with Freedpeople” and “the expense of arresting criminals for offenses committed either during, or since the war, [was not] a proper charge against the Bureau.”<sup>35</sup>

For other agents, the problem was not ignorance of military protocol, but the fact they were both subassistant commissioner and post commander. Those that performed both duties simultaneously often complained about how the immense workload affected their ability to meet report deadlines. The SAC at Seguin, Edward W. Whittemore, complained to Bureau officials that “I am the only officer on duty with my company, and am unable to properly attend to the duties of both my company and the Bureau.” Walter B. Pease, the post commander and SAC at Harris County, notified superiors that he needed clerical assistance.

The pressure of business and lack of sufficient clerical force in some measure prevents a prompt attention to the settlement of cases, and to the correspondence from other Agents. The duties of Commander of the Post, and of my company, require a great deal of my time and owing to the want of a competent clerk at the Post (the last one I had, having been detailed away to Dist. Hd. Qrs.) all reports and returns for the Post . . . have to be made by the adjutant, who is also [quartermaster] and Asst S. A. C. thereby depriving me

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<sup>35</sup> William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., September 7, 1868, AC, Letters Received, Letters Received, 1867-1869, reel 15; William Longworth, Sutherland Springs, to [Headquarters], April 16, 1866, AC, Letters Received, 1866-1867, reel 6; A. H. Mayer, Liberty, to Henry A. Ellis, A.A.A.G., September 30, 1866, AC, Letters Received, 1866-1867, reel 7; Charles Garretson, A.A.Q.M., to Fred W. Reinhard, Centreville, July 15, 1867, SAC, Press Copies of Letters Sent, July-October, 1867, reel 2; Endorsement of letter from Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., October 2, 1867, AC, Endorsements Sent, March 1867-May 1869, reel 2; Charles Garretson, A.A.Q.M., to Chief Quartermaster of Bureau, October 26, 1867, SAC, Press Copies of Letters Sent, October 1867-February 1868, reel 2; Charles Garretson, A.A.Q.M., to William G. Kirkman, Boston, October 15, 1867, SAC, Press Copies of Letters Sent, July-October 1867, reel 2.

of his assistance in the Bureau. I would therefore respectfully suggest the employment of an additional clerk in my office.<sup>36</sup>

Those in the field generally accepted responsibility for blank, missing, wrong, or late reports, either claiming ignorance of military protocol or the heavy demand of their workload. Hardin Hart, a “scalawag” agent at Greenville, spoke for many of his fellow civilian agents when he reminded superiors to be patient, since he was a “civilian [and] unaccustomed to the routine of doing business with military precision.” A. H. N. Rolfe, the Bureau agent at Columbia, appeared confused about how to fill out certain forms. “I have no blank vouchers for December,” he wrote, “and respectfully request a letter of instruction from Head Quarters as to the correct manner of making my returns so that I may avoid all delay. . . .” A couple of months later, as Bureau officials continued to question his returns, Rolfe admitted that “I am not a Military man & am therefore unacquainted with the [minutia] of forms customary in the dispatch of business.” At one time or another, every subassistant commissioner drew the attention of the staff at headquarters about his reports. William G. Kirkman at Boston, however, routinely drew questions from superiors about his paper work or his inability to heed their advice on paper work. “When I tendered you the advice not to make a property return, on the ground that the trouble of doing so, would be more trouble than the property purchased was worth,” informed Charles Garretson. “I wrote as an experienced Quartermaster and I was aware from some of the documents transmitted by you, that you knew nothing whatever about property or other papers.” The Bureau man was further lectured about the “hurried and careless manner” of his communications. “All letters and reports,” wrote one headquarter official, “should be carefully and concisely written; and where there are two or more enclosures, they should be so arraigned

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<sup>36</sup> Edward W. Whittemore, Seguin, to A. H. M. Taylor, A.A.A.G., District of Texas, February 1, 1867, AC, Letters Received, 1866-1867, reel 9; Walter B. Pease, Houston, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24.

that the gist of them can be readily perceived.” Most Bureau men were quick to correct the error and provide whatever record or correction their superiors wanted. In fact, these men were very sensitive to each question, inquiry, or even censure by those at headquarters, fearful that their superiors might think them negligent or dilatory in their duties. These men took pride in their positions, their work, and, most important, their reputations.<sup>37</sup>

Although a few field agents never learned how to fill out their reports and paper work, no matter how many times they were shown the correct way, Bureau and military officials bear part of the responsibility for poor and incorrect record keeping. Poor office conditions and lack of furniture greatly contributed to the agents’ problems. Isaac Johnson, for instance, had a very poor office at La Grange. He had a “rough board table,” a couple of “broken down chairs,” no desk, and “no place to keep the papers and Records.” In addition, to many of the men in the field, it appeared that Bureau officials’ vigilance about proper record keeping bordered on an obsession. James Butler at Huntsville was lectured by Assistant Acting Quartermaster Charles Garretson about his spelling. “The word ‘ninety’ is not correctly spelled without an e.” Anthony M. Bryant signed an account “AJM Bryant” but the A.A.A.G. for Texas notified him that his name on official documents was spelled “Anthony Bryant” and must be signed that way every time. William H. Rock had reports returned simply because he had improperly “folded as indicated.” He was reminded to “pay a little more attention to the manner in which papers . . .

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<sup>37</sup> Hardin Hart, Greenville, to A. H. M. Taylor, A.A.A.G., District of Texas, May 31, 1866, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; A. H. N. Rolfe, Columbia, to J. P. Richardson, A.A.A.G., AC, Letters Received, 1867-1869, reel 14; A. F. N. Rolfe, Columbia, to J. P. Richardson, A.A.A.G., February 11, 1868, AC, Letters Received, 1867-1869, reel 14; Endorsement of letter from William G. Kirkman, Boston, to Charles Garretson, A.A.A.G., September 16, 1867, AC, Endorsements Sent, March 1867-May 1869, reel 2. For examples of agents taking offense at superiors questioning their accounts, performance, or character, see George C. Abbott, Hempstead, to Chauncey C. Morse, A.A.A.G., February 19, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17, and B. J. Arnold, Brenham, to Chauncey C. Morse, A.A.A.G., December 2, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17. For William G. Kirkman’s numerous returns for improper paper work, see SAC, Register of Letters Received and Endorsements, July 1867-September 1868, Registered Letters Received, July 1867-September 1868, and Letters Received, August 1867-August 1868, reel 13.

are forwarded to these Hd Qrs.”<sup>38</sup>

After he had received communications about “gross neglect on my part that my papers are incorrect,” A. H. Mayer at Liberty reminded superiors that he was not an “automaton.” Mayer blamed some at headquarters for the problems with his returned reports. “You are mistaken. I have been harassed by [your] subordinates unnecessarily,” he wrote to Kiddoo, about “papers returned for correction that could have received the correction without being returned. Communications of importance from me not answered, seemingly *pigeon holed* without being read, either great neglect, apathy, or inattention shown by subordinates at Hdquarters.” A few months later, Mayer’s frustration about returned reports boiled over, and he lashed out at his superiors. “No man tries harder than I do,” the frustrated man declared.

No man has more pride in his position and desire that all things emanating [sic] from his office shall be a little better than any one else than I am [but] I cannot perform impossibilities. I notice that a reflection is implied in your communication . . . I have never purchased a single item without first making application in writing or verbally and receiving permission without one exception . . . I suppose I’ve used thirty pound[s] of candles the past month, now must I perform all the labor of [my] pay for the candles to do it by. For God Sake, send an Inspecting Officer here then *I do know*, that the a/c for oil and candles *will* be allowed.<sup>39</sup>

Mayer’s words exemplified what many of those in the field believed: first, that personnel at Bureau headquarters did not fully understand the rigors and demands of their day-to-day operations; and second, that field personnel generally believed that superiors were unnecessarily suspicious of them, which is best seen by Mayer’s request for an inspecting officer to visit his district.

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<sup>38</sup> Byron Porter, Austin, to J. B. Kiddoo, January 25, 1867, AC, Letters Received, 1866-1867, reel 7; Charles Garretson, A.A.Q.M., to James P. Butler, Huntsville, May 11, 1867, SAC, Press Copies of Letters Sent, July-October 1867, reel 1; Charles Garretson, A.A.Q.M., to Anthony M. Bryant, Sherman, July 18, 1867, SAC, Press Copies of Letters Sent, July-October 1867, reel 2; Endorsement of letter from William H. Rock, Richmond, to Henry A. Ellis, A.A.A.G., October 1, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

<sup>39</sup> A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., February 3, 1867, AC, Letters Received, 1866-1867, reel 6; A. H. Mayer, Liberty, to J. B. Kiddoo, January 25, 1867, AC, Letters Received, 1866-1867, reel 7.



Greater bureaucratization did not lessen their work load. If anything, with the desire for more information, it only increased. Throughout 1866, Bureau men felt the effects and demands of the job and began to request leaves of absence or dismissals. In fact, the number of requests became so high that Kiddoo asked Commissioner Howard for more Bureau agents to replace those soldiers to be “mustered out and civilians [that] ask to be relieved.” But others needed time off for business reasons. Due to the job’s demands, some men needed time off to get their personal affairs in order. On Christmas day 1866, N. H. Randlett, nearly a year and a half since his last time off, needed a break to return to New Hampshire “to transact important private business” and bring his family to Texas. He would eventually resign from the organization in late 1868 because of his family’s health and concerns about his private business. Oliver H. Swingley had a business offer in Chicago, Illinois. “I have devoted over four years of the best of my life to the service of my country,” he wrote, “and . . . consequently have saved but little money. It now behooves me to try to make a start in this world for myself.” John T. Raper also wanted to be relieved. Perturbed that a previous request had been denied by superiors and that they lost another, Raper informed superiors in no uncertain terms that he “wished to enter into business for myself.”<sup>40</sup>

SACs most often requested leaves of absence for health reasons. At one time or another, nearly all the subassistant commissioners in Texas contracted a communicable disease or felt the effects of their wartime injuries. Medical problems could definitely inhibit the most resolute and capable man. While at Matagorda, Charles F. Rand was not slowed by a gunshot wound to his right arm, an injury he received at the Battle of Gaines Mills in 1862. The wound required the

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<sup>40</sup> J. B. Kiddoo to O. O. Howard, July 24, 1866, M752C, Letters Received, March-May, 1866, reel 30; N. H. Randlett, Courtney, to J. B. Kiddoo, December 25, 1866, AC, Letters Received, 1866-1867, reel 17; Oliver H. Swingley, Austin, to E. M. Gregory, June 11, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; John T. Raper, Columbus, to E. M. Gregory, January 18, 1866, AC, Unregistered Letters Received, 1865-1866, reel 1; N. H. Randlett, Bryan City, to C. S. Roberts, A.A.A.G., October 14, 1868, AC, Letters Received, 1867-1869, reel 16.

removal of the head of the bone and four inches of the shaft, which left his humerus hanging “by the muscles and ligaments.” In November 1866, however, having acquitted himself very ably, Rand struggled with “Bilious Remittant Fever and torpidity of the Liver.” He tried to battle through the ailment, but it finally prostrated him. He requested a two-month leave of absence “on account of my health.” Frank Holsinger wanted out because of health reasons. An officer in the 19<sup>th</sup> U.S.C.T. during the war, Holsinger received a gunshot wound to his right arm at Bermuda Hundred. The wound left his arm totally disabled and atrophied. His family’s welfare, “a business impaired by my long absence,” and a “Physical Disability” that left his right arm permanently useless, all weighed heavily on him when he asked to be relieved. Shortly thereafter, with the army desperately needing competent officers along the Texas-Mexico border, Holsinger returned to his regiment at the Rio Grande. Health issues, the demands of the job, and business opportunities aside, some men simply could no longer cope with being a subassistant commissioner. J. Orville Shelby notified superiors that he no longer wished to be in Bureau service, a “function in itself of difficult nature.” With a hostile white community wanting his removal, Shelby had enough of this “laborious office,” and he no longer wanted to be in a position where “occasional collision must be unavoidable.” James A. Hogue was “satisfied that the Blackman . . . is not getting Justice.” Frustrated that his and the government’s actions had been inadequate to protect the freedpeople in Cold Springs, Hogue was “fully satisfied that I am doing them no good.” As a result, he asked to be relieved.<sup>41</sup>

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<sup>41</sup> Charles F. Rand File, Pension Record; Charles F. Rand, Matagorda, to Henry A. Ellis, A.A.A.G., November 15, 1866, AC, Letters Received, 1866-1867, reel 7; Frank Holsinger, Beaumont, to William H. Sinclair, A.A.G., April 29, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 39, February 15, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Frank Holsinger File, Pension Record; Special Orders No. 63, April 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Frederick H. Dyer, comp., *A Compendium of the War of the Rebellion* (New York: Thomas Yoseloff, 1959), 3:1726-1727; J. Orville Shelby, Liberty, to [J. B.] Kiddoo, July 26, 1866, AC, Letters Received, 1866-1867, reel 8; Special Orders No. 98, July 10, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel

Some requests for leave were refused by officials at headquarters, mostly because the Bureau agent's service was still greatly needed. In October 1866 Thomas Bayley at Marshall wanted to be relieved to accept a commission as an officer in one of the recently organized colored regiments. Although he had the recommendation and support of Commissioner Howard in Washington, Bayley was denied his release at that time by Bureau officers in Texas because harvest time neared. "I cannot at this time," wrote Kiddoo to the commissioner, "dispense with Col. Bailey's [sic] services, the gathering of the crop and the interests of the freedmen" necessitate his presence. After the crop had been gathered, Bayley received his dismissal. Isaac Johnson, having been separated from his family since he enlisted in the U.S. Army in 1864, asked superiors for a sixty-day leave of absence. They denied it because harvest time neared. "This is a bad time to leave," Bureau officials told him, "when this is done and you think you can leave without great detriment to the interests of the Bureau, you will please renew your application and it will be approved." For those agents in the latter half of 1868, their requests were often denied because "It is deemed extremely important that all agents should be at their posts until the end of December." Other requests, however, officials at headquarters were more than willing to grant, especially when a less than productive Bureau agent asked to be relieved. For example, Fourth Cavalry officer David R. Porter notified Kiddoo of his "dislike of the duty" in San Antonio. Kiddoo, angered at what he saw as a dismissive and ungrateful slight by Porter against those who sacrificed and continued to sacrifice, responded to this "impudent and insubordinate" officer. In a diatribe against this less than "intelligent, capable and faithful" SAC,

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19; James A. Hogue, Cold Springs, to J. B. Kiddoo, July 18, 1866, AC, Letters Received, 1866-1867, reel 6; Special Orders No. 100, August 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19. Charles C. Hardenbrook and J. Ernest Goodman wanted to remain with the Bureau, just in another state. For these two men, particularly Goodman, headquarters was more than willing to accommodate them (See Endorsement of letter from Brvt. Brig. Gen. F. E. Trotter to J. B. Kiddoo, July 27, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter J. Ernest Goodman, Columbus, to J. B. Kiddoo, June 4, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2).

Kiddoo forcibly expressed his sentiments to Brevet Major General George W. Getty, the commander of the District of Texas. “By Officers who without exception have felt the shock of Battle and know the necessity of upholding the laws of our Country in every position and under all circumstances,” he wrote]. He continued:

I would respectfully ask that [Porter] be reprimanded in the order relieving him for his ignorance and presumptuous ignorance the more reprehensible from the fact that he has lately joined the army after a considerably longer period of study in our National Military Academy than is usually pursued by graduates of that institution and he should be expected at least to know how to fill a situation that has been filled with credit by young and inexperienced volunteer officers. I cannot help saying in the connection that I consider that conduct of Lt. Porter alike unsoldierly and unmanly.<sup>42</sup>

As noted, Bureau officials’ resistance to grant requests for short absences or dismissals was partly due to the time of year. The most demanding time was at the end and beginning of each year. As harvesting and contracting neared in late summer and fall 1866, Bureau authorities could hardly be satisfied with the current labor situation in Texas. White violence, planter and worker ignorance, field personnel’s confusion, and the overall inconsistency in the agency’s labor policy all contributed adversely to free labor’s success. Completely overhauling the South’s economic system would take time, something the Freedmen’s Bureau lacked. During Reconstruction, patience was not a virtue and results had to be instant. With a less than rigid system imposed by Bureau officials, field agents were free to try many things, including encouraging profits to convince the planters to accept the free market philosophy. They hoped that increased revenue would reduce violence, mistreatment, and swindling by planters against the former slaves. If the planters financially succeeded, so too did the freedmen. “Human nature

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<sup>42</sup> Endorsement of letter from O. O. Howard to J. B. Kiddoo, October 3, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from Isaac Johnson, La Grange, to William H. Sinclair, A.A.G., August 6, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from John H. Morrison, Palestine, to C. S. Roberts, A.A.A.G., September 15, 1868, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from [David] R. Porter, San Antonio, to J. B. Kiddoo, October 2, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Isaac Johnson, La Grange, to C. H. Whittelsey, A.A.G., September 4, 1866, AC, Letters Received, 1866-1867, 6.

is much the same under given conditions – the plastic character of the mind soon adopts itself to circumstances [and] fortunately the high prices of Southern products will be the incentive for action,” observed one Bureau official. “[A]s selfishness was the enslaver of the negro, it will now be one of the means of his elevation.” Bureau men realized that some planters had discovered the superiority of free labor compared to slave labor, not from any philosophical change but rather from the “pecuniary point of view.” SACs hoped now to “enlighten” the rest.<sup>43</sup>

This belief was hardly novel to Reconstruction. Throughout the ante-bellum years, free labor proponents had descended on the slaveholding South in a “friendly invasion” to demonstrate the profitability and benefits of the free labor system. After the war, Bureau men wanted to demonstrate to planters that better treatment of their workers would produce a more efficient workforce and higher profits. In other words, increased profits came with “the Yankee way of doing business.” They soon made a concerted effort to remind both planters and freedpeople that their interests were tied. William Longworth was told by superiors to educate the freedmen that “it is as much to their interest as to [planter James L.] Dial’s that a good crop be raised.” Alex B Coggeshall at Bastrop observed, “Since I came here, I think I can see a very great change in public opinion in regard to the treatment of the freedmen.” He wrote that “they are beginning to realize that it is to their interest to treat them well.” A few months later, Coggeshall reported that planters now realized they will “have much [more] money . . . at the end of the year [and if they] have treated their freedmen badly during the past year have found that it will not pay.” In San Augustine County, Albert A. Metzner stated that the whites had a changed attitude about the freedpeople. “It appears to me,” Metzner wrote, “that the scarcity of

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<sup>43</sup> S. J. W. Mintzer, Surgeon in Chief, to [E. M. Gregory], December 1, 1865, AC, Received and Retained Reports Relating to Rations, Lands, and Bureau Personnel, 1865-1866, reel 29; J. B. Kiddoo to O. O. Howard, July 23, 1866, AC, Letters Sent, September 1865-March 1867, reel 1.

laborers is the principal reason of this kindness.” According to carpetbagger Arthur B. Homer at Columbia, “the demand for labor compels the white people to treat [the freedmen] justly.” The desire for labor was so great and relations between the races so good that Homer stated to superiors that he had no troops and none were required.<sup>44</sup>

The competition for labor aided Bureau agents in their course for protection of the freedmen, for planters were never as cohesive a group as generally portrayed. Other studies also found Bureau men using competition to protect the freedpeople. Edward Miller in Victoria was made aware of the “very good terms” between the former slaves and planters, “obviously for the purpose of securing their services.” Miller gladly accepted the situation because of what it meant for the freedmen. “[T]he rights of the freedmen,” Miller wrote, “would be secured by the civil authorities [even] if all the troops were removed.” Samuel A. Craig wrote that relations between the races improved as the number of workers dwindled. Those who want workers for the next year, he added, had to treat the freedmen fairly. “There are some planters who are not only willing but anxious to secure the freedmen’s share of the crop,” Jacob C. DeGress reported, “and get the officers of the Bureau to procure for them the highest market price. I am doing all I can

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<sup>44</sup> William H. Sinclair, A.A.G., to William Longworth, Seguin, June 20, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Alex B. Coggeshall, Bastrop, to [Headquarters], October 2, 1866, AC, Letters Received, 1866-1867, reel 4; Alex B. Coggeshall, Bastrop, to J. T. Kirkman, A.A.A.G., February 5, 1867, AC, Letters Received, 1866-1867, reel 4; Albert A. Metzner, San Augustine, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Arthur B. Homer, Columbia, to Charles A. Vernou, A.A.A.G., William H. Rock, Richmond, to J. T. Kirkman, A.A.A.G., February 2, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Arthur B. Homer, Columbia, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28. Agents also saw that when planters had a bad crop, which reduced their income, violence against the freedmen increased (See Ira H. Evans, Wharton, to Charles Garretson, A.A.A.G., October 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; and Edward Collins, Brenham, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24). For works on antebellum attempts to transplant free labor into the slaveholding South, see Otis K. Rice, “Eli Thayer and the Friendly Invasion of Virginia,” *Journal of Southern History* 37 (November 1971): 575-596; Sara T. Philips, “Antebellum Agricultural Reform, Republican Ideology, and Sectional Tension,” *Agricultural History* 74 (Autumn 2000): 799-822; George Winston Smith, “Ante-Bellum Attempts of Northern Business Interests to ‘Redeem’ the Upper South,” *Journal of Southern History* 11 (May 1945): 177-213; and Patricia P. Hickin, “John Curtis Underwood and the Antislavery Crusade, 1809-1860” (Master’s Thesis, University of Virginia, 1961).

to assist them and encourage their feeling, for the planters so disposed, will be the gainer, by being enabled to secure his hands for next year without difficulty.” In fact, DeGress admitted that he “advised the freedmen not to labor next year” for any planters of bad character. George H. Cram in Galveston observed that the “feeling of the whites toward the Freedpeople is good and as their labor is much needed at present and no others to be had they are aware that a different course would be injurious to their own interests.”<sup>45</sup>

In Robertson County, Lemuel K. Morton noted that some planters had begun to experience difficulties in procuring workers for the next year. “It will only be those planters who have not treated their Freedmen with fairness and Justice who will have any difficulty in obtaining labor for another year.” Edward Collins, the SAC at Brenham, was a staunch free market advocate. He routinely criticized the freedmen for not grasping the concept of “self-sufficiency.” Collins believed the freedmen languished in servitude, rather than self-reliance, which he attributed to sharecropping. “The main object of the Bureau in my opinion,” he wrote, was “to enable the Freedmen to take care of themselves as soon as possible.” Sharecropping, Collins believed, “appears to me to have great objections,” mainly because the laborer “does not depend sufficiently upon himself.” With shares, the laborer delegates the making of the contract and settling of his accounts to someone else. “Where hands work for the month,” he noted, “a better state of affairs exists and almost invariably better crops raised.” In short, Collins wanted more emphasis on teaching the freedpeople self-reliance. The Bureau man in Wharton noted the

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<sup>45</sup> Edward Miller, Victoria, to A. H. M. Taylor, A.A.A.G., District of Texas, January 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., October 15, 1866, AC, Letters Received, 1866-1867, reel 5; Endorsement of letter from Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; George H. Cram, Galveston, to C. S. Roberts, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Samuel A. Craig, Brenham, to William H. Sinclair, A.A.A.G., August 2, 1866, AC, Letters Received, 1866-1867, reel 4. For works that show planters as individuals rather than a cohesive unit, see Roark, *Masters Without Slaves*, 134-155, and Kerr-Ritchie, *Freedpeople in the Tobacco South*, 65.

changed “policy” by many planters. “To a great extent the freedmen are treated kindly by their employers,” he wrote, “not from feelings of kindness or interest but simply because its policy[,] otherwise their hands would give up in weeks.” Another field agent also discovered the same situation in Wharton. “Nothing that I know of,” concluded William H. Sinclair about the effect profits would have for the freedmen, “will tend so much to produce a good state of feeling.”<sup>46</sup>

Some Bureau men generally believed that freedmen could be protected through the encouragement of shares (i.e., sharecropping), rather than wages, for they believed it easier to ensure that hands received their payments. Moreover, the freedpeople had an interest in a good crop that they did not when they hired themselves out by the month. James P. Hutchison at Columbus noticed more diligent laborers “when they are interested in part of the crop.” Albert A. Metzner also reported that the greatest “part of them have shares in the crops and have caused me little trouble.” A month later, however, after incessant rains and the arrival of the Army worm, Metzner realized the inherent risk with sharecropping as many hands broke their contracts and hired themselves out for wages to other employers. Nonetheless, he “tried . . . to make them understand the foolishness of such a proceeding [working for wages].” Joshua L. Randall also believed “the more intelligent” freedmen contracted for shares. L. S. Barnes at Crockett reported

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<sup>46</sup> Lemuel K. Morton, Sterling, to [J. B. Kiddoo], November 6, 1866, AC, Letters Received, 1866-1867, reel 7; William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., August 18, 1868, AC, Letters Received, 1867-1869, reel 15; Edward Collins, Brenham, to J. T. Kirkman, A.A.A.G., August 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; DeWitt C. Brown, Wharton, to J. T. Kirkman, A.A.A.G., April 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; L. J. Warner, Inspector, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Letters Received, 1866-1867, reel 9. For other studies that find agents and U.S. officials using competition and profits to protect the former slaves, see Owens, “Presidential Reconstruction,” 352; Higgs, *Competition and Coercion*, ix; Roark, *Master Without Slaves*, 134-155; Joe M. Richardson, “The Freedmen’s Bureau and Negro Labor in Florida,” *Florida Historical Quarterly* 39 (October 1960): 167-174; and Kerr-Ritchie, *Freedpeople in the Tobacco South*, 53.



that freedmen who contracted for shares “are doing a fine thing for themselves and their employers.”<sup>47</sup>

Other men in the field, however, encouraged monthly wages instead of shares. In early 1867 A. H. Mayer reported that freedmen labored for a share of the crop in Liberty, “although (from experience) I have tried to induce them to work for monthly wages.” According to Mayer, those who contracted for wages “have done so at a fair rate and [I] am satisfied they will succeed better.” Furthermore, if the crop failed, those who contracted for monthly wages would not be nearly as affected as those who had contracted for a share of the crop. Lemuel K. Morton found it more difficult to secure the freedpeople’s payment when they received shares. “I do not hear much complaint about the planters failing to pay their hands,” he wrote, “where they are hired by the month, but some of them seem [sic] enclined [sic] to take the advantage where they are working for part of the crop.” A. G. Malloy at Marshall discovered the “system of working for a portion of the crop is not advantageous.” As a result, he “recommended them to work only for money wages.” With little consensus about which system of payment to encourage the former slaves to contract for, subassistant commissioners’ responsibility for the rise of sharecropping in Texas appears peripheral at best. Sharecropping appears to have developed more because of the eccentricities and fluidity in the market in Texas or the planters’ and freedmen’s preferences than from any policy handed down. In fact, by the time Bureau officials in Galveston ordered their

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<sup>47</sup> James P. Hutchison, Columbus, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 6; Albert A. Metzner, Clinton, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 7; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., April 30, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; L. S. Barnes, Crockett, to William H. Sinclair, A.A.G., June 14, 1866, AC, Letters Received, 1866-1867, reel 4.

subordinates to “encourage the renting and working of land, for a share of the products” in early 1867, sharecropping had already been practiced by the planters and freedmen for some time.<sup>48</sup>

In Texas, Bureau men were not the main reason for the development of sharecropping. In fact, they lacked unanimity as to which system was better for the freedmen. Similar to the situations in Florida and Louisiana, an agent’s personal preference dictated whether he promoted sharecropping or monthly wages in Texas. Sharecropping appears to have developed more out of the push and pull between the freedmen, the planters, and the market. As a whole, Bureau men neither developed nor imposed it on either party. Rather they “it [was] left to the option of the parties whether said contract be for a portion of the crops or stipulated wages per month or year.” As it became the preferable system between white and black Texans, only then did the Freedmen’s Bureau begin to encourage the sharecropping system. Officials at headquarters believed sharecropping would have several benefits: first, it would be easier for field agents to ensure that a freedman received his portion of the crop compared to monthly wages; second, it was hoped that a freedman who labored for a share, instead of monthly wages, would be more diligent and industrious, since his production now directly affected his portion of the crop; and finally, with both the planter and the freedman sharing the risk if the crop failed, it was hoped

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<sup>48</sup> A. H. Mayer, Liberty, to J. B. Kiddoo, January 9, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Albert A. Metzner, San Augustine, to J. T. Kirkman, A.A.A.G., September 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Circular Order No. 1, February 2, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Lemuel K. Morton, Sterling, to J. B. Kiddoo, September 30, 1866, AC, Letters Received, 1866-1867, reel 7; A. G. Malloy, Marshall, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., May 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Charles H. Morse, Brownsville, to J. T. Kirkman, A.A.A.G., June 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 23.

many of the problems in the past like non-payment and breakage of contract would be remedied.<sup>49</sup>

With the rise of sharecropping (and its ramifications for the former slaves and the South in general), some later historians asked how such a system that “economically retarded” the South and “circumscribed” the freedpeople’s opportunities could develop. A number of historians placed blame squarely on the Freedmen’s Bureau. These critics overlook the main aspect in the overall development of sharecropping in the Lone Star State: neither the planters nor the former slaves were passive participants during Reconstruction. Under instructions from Bureau headquarters in Galveston, Bureau agents in the field were to instruct the freedpeople and planters in labor contracts, worker-employer relations, and the free-market system, not decide what they did with them. The criticism of subassistant commissioners for instituting sharecropping was accompanied by the charge that they also cooperated with the planters to bind the former bondsmen to the land. In a few cases this charge is valid, but as a whole, it is not supported by the evidence. Any time such an accusation that a Bureau man was cooperating with the planters against the freedpeople arrived at Bureau headquarters, no matter the source, Bureau officials quickly investigated the suspected agent. A. P. Delano, Albert A. Metzner, J. Albert Saylor, Mahlon E. Davis, James A. Hogue, Isaac Johnson, William H. Horton, Charles P. Russell, Alex B. Coggeshall and a few others, were all accused, at one time or another, of being tools of the planter elite. Some of these accusations proved accurate, while others did not. In fact, most accusations proved false. White Unionists and freedpeople realized the agency’s sensitivity to such claims and never hesitated to inform them if Bureau agents engaged in

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<sup>49</sup> William Heistand, Hallettsville, to Henry A. Ellis, A.A.A.G., November 23, 1866, AC, Letters Sent, June 1868-January 1869, reel 21. For studies that also found some agents advocating for sharecropping and others for wages, see Daniel R. Weinfeld, “‘More Courage Than Discretion’: Charles M. Hamilton in Reconstruction-Era Florida,” *Florida Historical Quarterly* 84 (Spring 1984): 482-484; and Smith, “Freedmen’s Bureau in Shreveport,” 453-454.

collusion with the former Rebels. The planters also realized the attitude of those at headquarters about Bureau agent-planter collusion. On a few occasions, they even used the allegation in hopes of ridding themselves of effective, or what they called “troublesome,” agents.<sup>50</sup>

In late 1867 a few whites and several freedmen accused Albert A. Metzner of colluding with the planters in San Augustine. Metzner denied the allegation and claimed it to be simply false and in a way “flattering.” “I, almost a stranger, should in so short a time be enabled to exercise such an influence as therein stated,” he wrote, “and I am sure it will be a matter of astonishment to you, it is simply ridiculous.” Metzner admitted “in one or more instances” that he had ruled against freedmen in Bureau court, “but it was because the fraud attempted to be practised [sic] against the white man, was palpable and apparent.” He reminded superiors that he never compromised principle or character in the discharge of his duties. In fact, he stated, “I flatter myself that I have by so doing, been [able] to accomplish more in executing the Orders of the Department than if I had held myself aloof from all friendly and social intercourse with the [white] Community.” Metzner’s defense, his job performance, several credible testimonials to the inaccuracy of the charges, and evidence that the main accuser hoped to remove the Bureau man in order to fill his position all convinced superiors of his innocence, and the charges were dismissed. But months later, in the summer of 1868, headquarters officials sent an inspector to investigate other charges, like intemperance. This accusation was his undoing. “I find that he has quite a number of difficulties while here all of which grew out of his bad habits,” wrote Inspector William H. Sinclair about Metzner. “Had he gone about the duties assigned him and attended to them soberly and faithfully I am satisfied he could have got along here with but little difficulty in spite of his disgraceful behavior.” Metzner had a bar bill of more than five hundred

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<sup>50</sup> For works that indict the Freedmen’s Bureau for aiding in the rise of sharecropping, see Wiener, *Social Origins of the New South*; Novak, *Wheel of Servitude*, Chapter 2; and Franklin, *Ensuring Inequality*, Chapter 2.

dollars, and because of his drinking, he routinely got into intoxicated brawls. Headquarters officials promptly relieved him from duty.<sup>51</sup>

While at Centreville in Leon County in late 1866, Fred W. Reinhard also had his job performance questioned. While on a steamboat to New Orleans, Samuel I. Wright, the Freedmen's Bureau's first assistant quartermaster and disbursing officer in Texas, overheard some planters bragging about a Bureau agent. Wanting to know more, Wright moved closer to the pair in order to hear the conversation. He overheard them claim that Reinhard had stolen freedmen's cotton, and, if the freedmen "do not work to please his motives," he motivated them by hanging them by their thumbs. Reinhard, who Bureau officials sent to many trouble spots in Texas when other agents appeared not up to the challenge, was investigated and cleared of all charges. Reinhard served capably for more than two years with the organization in Texas, and by the time he left the Bureau, he was considered by many at headquarters in Galveston "to be one of the best agents in the state, possessing that happy faculty by which he renders himself popular among both white and black."<sup>52</sup>

The drive to oust ineffective, inefficient, and detrimental subassistant commissioners, at times, frustrated some of the men in the field. A few, in fact, were quite offended. For example, Mahlon E. Davis, Samuel A. Craig's successor at Brenham, was accused of neglect in early 1867. William Howard, a freedman, wanted agent Davis to make sure he received his portion of

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<sup>51</sup> Albert A. Metzner, San Augustine, to [Headquarters], November 23, 1867, AC, Letters Received, 1867-1869, reel 14; Albert A. Metzner, San Augustine, to [Headquarters], November 23, 1867, AC, Letters Received, 1867-1869, reel 14; William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 13, 1868, AC, Letters Received, 1867-1868, reel 15; William Philips, et. al, to [Headquarters], October 16, 1867, AC, Letters Received, 1867-1869, reel 14; Jacob Omerod to J. P. Richardson, A.A.A.G., December 6, 1867, AC, Letters Received, 1867-1869, reel 14; S. W. Blount to [Headquarters], November 23, 1867, AC, Letters Received, 1867-1869, reel 14.

<sup>52</sup> Samuel I. Wright, A.Q.M., Disbursing Officer, to [William H.] Sinclair, Special Duty, October 22, 1866, AC, Letters Received, 1866-1867, reel 9; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., April 1, 1867, AC, Letters Received 1866-1867, reel 8; John Williamson to J. T. Kirkman, A.A.A.G., March 8, 1866, AC, Letters Received, 1866-1867, reel 9; Special Orders No. 104, August 21, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April, 1868, reel 19.

the cotton as stated in his labor contract. Davis informed him he would do this, for it was his duty, but it would only be done after Howard had ginned and baled his own cotton. Rather than do what the Bureau agent requested, Howard, instead, took “the whole of it and sold it.” As a result, local authorities arrested the freedman for stealing his employer’s portion of the cotton. Upon his arrest, Howard contacted D. L. McGary, the “noted Rebel [editor] . . . who does not hesitate to denounce the action of the U.S. Government and the Bureau especially.” McGary, who Davis suspected to be the driving force behind Howard’s actions and words, instructed Howard to “report the case to the Asst. Commissioner.” He did, accusing Davis of stealing some of his belongings, including his pistol, cart, and oxen.<sup>53</sup>

Superiors wanted an explanation from Davis for allegedly “neglecting his duties.” The Bureau man was quite offended by the rather insulting and accusatorial tone of the letter. After telling his side of the story, which included many things that Howard had left out in his letter to Bureau officials, Davis expressed to superiors his opinion of their actions. “Your letter states,” the annoyed Bureau agent wrote, “that from the said Howard’s statement the Bureau seems to have taken but little part in his, and the other Freedpeoples [sic] troubles.” He continued:

Allow me to inform you that this office is situated in one of the most wealthy counties in the state, that there are more Planters & more Freedpeople employed than in any other. Also that I have devoted all my time night and as well as day to the interest of the Freedpeople in my Dist. that I have worked faithfully and I believe acted justly and that I do not think proper Justice is done me, when a report like the one which called for this report – a report coming from a man who devoted all his time to making trouble for Capt. Craig when he was Agt. here & whom Capt. Craig was compelled to confine in Jail is given credence to.<sup>54</sup>

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<sup>53</sup> Mahlon E. Davis, Brenham, to William H. Sinclair, Special Duty, Galveston, January 17, 1867, AC, Letters Received, 1866-1867, reel 5; William H. Sinclair, A.A.G., to Mahlon E. Davis, Brenham, January 3, 1867, AC, Letters Sent, September 1865-March 1867, reel 1; Special Orders No. 112, September 17, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>54</sup> Mahlon E. Davis, Brenham, to William H. Sinclair, Special Duty, Galveston, January 17, 1867, AC, Letters Received, 1866-1867, reel 5.

In the end, Bureau officials found nothing to the freedman's accusations against Davis. Davis remained at Brenham for a short while after the incident before being reassigned to Wharton County. He remained there with no further problems until he left the agency in April 1867. In early summer 1868, however, Davis returned to Freedmen's Bureau service in Harris County, where he remained until the organization ceased operations in late 1868.<sup>55</sup>

Accusations against some SACs, however, were clearly warranted. Scalawag agent James H. Hogue shirked his responsibilities in Livingston. The commander at the post, Captain W. H. Redman, informed headquarters officials that Hogue rarely called upon him for assistance, something he thought quite unusual. Capt. Redman, who had doubts about civilian Bureau agents, further described to officials how Hogue dealt with the freedmen's complaints. Upon a complaint, Hogue would allegedly write a note to the planter urging the necessity to settle with his hands and would state "to the employer that if the matter comes before him again that he will refer it to [Bureau headquarters] for settlement." This, according to the post commander, "answers the purpose intended." Through a ruse that involved the "employer['s] translation" of Hogue's note and the freedmen who believed that the agent had protected them, some "very persuaded" freedmen had entered "with a settlement at the terms of the employer." Capt. Redman concluded that "an understanding" between Hogue and the planters existed "to use every means" to keep the former slaves as laborers and their former masters in control. One white Unionist compared Hogue's and his accomplices' actions to a monster that had been slain.

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<sup>55</sup> Special Orders No. 15, February 7, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, 1867-1869, reel 19; Special Orders No. 20, February 18, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, 1867-1869, reel 19; Special Orders No. 28, March 7, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, 1867-1869, reel 19; J. J. Reynolds to O. O. Howard, May 14, 1868, AC, Letters Received, 1867-1869, reel 16; Special Orders No. 33, May 22, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

“*Slavery is dead,*” the Unionist wrote, “but the *tail* of the *dambled* [sic] *monster* still moves.” Within a few months, Hogue had been relieved.<sup>56</sup>

While at Falls County in November 1866, A. P. Delano made the “condition of the freedpeople worse than even slavery.” Along with two other conspirators, Delano imposed retribution and terror on the freed community. To please the planters, he made the former slaves work “like dogs.” If they resisted, Delano hanged them by their thumbs, struck them on the head, or threatened them with a loaded weapon. It was little wonder that planters in the county expressed in a letter to headquarters officials their satisfaction with the labor interest and “their” Bureau agent. Wanting to ensure that their subordinate was doing his job, Bureau officials in Galveston sent an inspector to Falls County. What the inspector found left few confused about why the whites in the county liked Delano so much. The inspector compared the protection the agent afforded the freedmen to that which a “hungry wolf does a lamb.” “All the difference between the condition of the freedpeople of Falls now and in the time of slavery,” he continued, “is that the County has 3 Overseers instead of one to each plantation.” Delano defended his performance to his superior officers by declaring that he had the “acknowledgement of the Freedmen as their true friend and adviser.” He also claimed that many in the freed community earlier in the year “thought me rather hard” but now realized “my intentions were good and meant them no harm.” Nevertheless, Bureau officials promptly relieved Delano from service.<sup>57</sup>

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<sup>56</sup> Capt. W. H. Redman to E. M. Gregory, May 1, 1866, AC, Letters Received, 1866-1867, reel 7; Capt. W. H. Redman to E. M. Gregory, May 1, 1866, AC, Letters Received, 1866-1867, reel 7; O. A. McGinnis to J. B. Kiddoo, August 22, 1866, AC, Letters Received, 1866-1867, reel 7; Special Orders No. 100, August 16, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1867, reel 19.

<sup>57</sup> William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 10, 1866, AC, Letters Received, 1866-1867, reel 8; Champ Carter, Sterling, to [J. B. Kiddoo], June 6, 1866, AC, Letters Received, 1866-1867, reel 4; A. P. Delano, Marlin Falls, to J. B. Kiddoo, December 31, 1866, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Special Orders No. 20, December 30, 1865, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Sinclair, Inspector, to J. B. Kiddoo, December 23, 1866, AC, Letters Received, 1866-1867, reel 8; *Flake's Daily Bulletin*, May 9, 1866; Special



Delano's problems, however, continued, despite no longer being with the organization. The former Bureau man was accused of misusing postage stamps, inciting U.S. soldiers to desert, and mismanaging a local store's funds. To replace Delano in Falls County, Bureau officials sent F. B. Sturgis to Marlin. They wanted him to arrest Delano, an act that nearly cost Sturgis his life. The white community "held high carnival at his house," Sturgis wrote about the attempt to arrest Delano, "and for a time I thought they would rescue him and mob me, but as the whiskey gave out and they cooled off they came to the conclusion to get up a petition" against me. For the next couple of months, the white citizens wrote letters to superiors, claiming Sturgis did not deal "fairly with the freedmen," and that he allowed the former slaves to be cheated by the planters. Even Delano leveled criticism at his successor, claiming Sturgis was pressuring him to give up some land in return for his release (Delano was not brought to trial for the charges against him). Bureau officials appeared little interested in this dispute.<sup>58</sup>

While at Sterling, Champ Carter, who was recommended as an agent to Bureau officials by Delano, conducted affairs in a rather "loose way in regard to the Planter." Not so for the freed community, however, which he treated in "an outrageous manner." Carter believed the freedmen needed very stern measures to keep them in line. In fact, in a letter to his superiors, Carter actually defended the actions of the agent at Millican (Robert McClermont), who was removed by Bureau officials in early 1866 for punishing freedmen who broke their contracts by

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Orders No. 3, January 8, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>58</sup> F. B. Sturgis, Marlin Falls, to J. T. Kirkman, A.A.A.G., July 16, 1867, AC, Letters Received, 1866-1867, reel 8; A. G. Perry to Charles Griffin, July 16, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; F. B. Sturgis, Marlin, to [Charles Griffin], June 30, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; F. B. Sturgis, Marlin Falls, to J. J. Emerson, August 22, 1867, AC, Letters Received, 1866-1867, reel 8; John Love, et. al., to [J. J.] Reynolds, November [1867], AC, Letters Received, 1867-1869, reel 14; George T. Ruby, Traveling Agent, to J. T. Kirkman, A.A.A.G., July 27, 1867, AC, Letters Received, 1866-1867, reel 8; F. B. Sturgis, Marlin Falls, J. T. Kirkman, A.A.A.G., August 26, 1867, AC, Letters Received, 1866-1867, reel 8; H. N. Dubb, Attorney, to [Charles Griffin], July 6, 1867, AC, Letters Received, 1866-1867, reel 5.

hanging them by their thumbs. According to Carter, McClermont had worked “such magic effects all around,” and since headquarters officials removed him, “confusion strife & disaster” had been created in Millican. In his subdistrict, Carter followed a similar course as McClermont. With his cohort, John M. Shaffer, the SAC allowed planters to hang freedmen by their thumbs for the most “trivial and emaginary [sic]” slights, disarmed the black community, and approved restrictive and unfair contracts. This allowed the planters to act as if they were still the masters and the freedpeople still their slaves. “Some of the Planters have [a] strange idea of justice for the freedmen,” reported Lemuel K. Morton, Carter’s successor at Sterling. “[T]hey want Military Law for the Freedmen but civil Law for themselves.” Bureau officials relieved Carter in August 1866. At Gonzales, Charles P. Russell received money for visiting plantations and charged planters for writing contracts. After investigating this and other charges, one official at headquarters concluded that Russell’s actions had been “tyrannical” in his treatment of the freedmen when punishing them for violating their contract.<sup>59</sup>

The freedmen’s education and moral uplift, as well as the greater oversight and bureaucratization, were all ancillary to the Freedmen’s Bureau’s primary mission: the transition from slavery to free labor. This mission by the Bureau, already underway for a year, still had to work out many of the initial kinks. Some of the same problems that perplexed the agency in late 1865 remained unsolved in late 1866. White violence, white and black ignorance of free labor, the vagueness of contracts, idleness, and many other things still plagued labor relations and

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<sup>59</sup> Lemuel K. Morton, Sterling, to J. B. Kiddoo, September 30, 1866, AC, Letters Received, 1866-1867, reel 7; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 10, 1866; William H. Sinclair, Inspector, Galveston, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; Champ Carter, Sterling, to J. T. Kirkman, A.A.A.G., July 26, 1867, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from John M. Schaeffer to J. T. Kirkman, A.A.A.G., December 25, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; A. P. Delano to E. M. Gregory, n.d., AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Special Orders No. 105, August 29, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

bedeviled subassistant commissioners. Some Bureau agents informed superiors about problems caused by freedwomen leaving the fields for house work. Others observed more common problems. Byron Porter wrote that most of his difficulties stemmed from differences at the time of the crop's division and settlement of accounts. F. B. Sturgis had problems with idle freedmen. "I have felt it my duty to use every means in my power to keep the Freedmen at work," reported Sturgis at La Grange. "Persuasion in most cases succeeds but where it does not, I have ordered their arrest." The Bureau agent in Harris County had the usual problems with planters. "Every species of rascality," noticed Jacob C. DeGress at Houston, "is resorted to by planters to cheat the negroes and I am sorry to say that they succeed in a great many instances." Not all field agents complained about the labor situation, for some agents reported to headquarters officials satisfactory labor conditions in their subdistricts.<sup>60</sup>

Kiddoo was concerned about the state of Texas' labor situation, especially as harvest and contract time approached. But before he acted, Kiddoo needed a more comprehensive picture of the state, rather than a collection of snapshots from Bureau agents. To achieve this, Kiddoo – as well as subsequent assistant commissioners – sent throughout Texas on an inspection tour the one man who would be the Freedmen's Bureau's "eyes and ears" in Texas: William H. Sinclair (in all, Sinclair was sent on fourteen inspection tours while with the Bureau in Texas, including four for Kiddoo). Described by historian William L. Richter as a natural staff officer, Sinclair

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<sup>60</sup> F. B. Sturgis, La Grange, to Lemuel K. Morton, A.A.A.G., September 18, 1866, AC, Letters Received, 1866-1867, reel 8; Jacob C. DeGress, Houston, to Henry A. Ellis, A.A.A.G., November 19, 1866, AC, Letters Received, 1866-1867, reel 5; J. W. McConaughy, Wharton, to [Headquarters], July 8, 1866, AC, Letters Received, 1866-1867, reel 7; Albert A. Metzner, Clinton, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 7; A. H. Mayer, Bastrop, to [Headquarters], October 2, 1866, AC, Letters Received, 1866-1867, reel 7; Byron Porter, Austin, to Henry A. Ellis, A.A.A.G., November 1, 1866, SAC, Letters Sent, October 1866-May 1867, reel 12. For black women leaving the field for house hold, see Edwards, *Gendered Strife and Confusion*, 66-106. For agents reporting satisfactory conditions, see James F. Hutchison, Columbus, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 6; Ira P. Pedigo, Woodville, to Henry A. Ellis, A.A.A.G., November 19, 1866, AC, Letters Received, 1866-1867, reel 7; Alex B. Coggeshall, Bastrop, to [Headquarters], October 2, 1866, AC, Letters Received, 1866-1867, reel 4; and Fred W. Reinhard, Centreville, to [Headquarters], November 12, 1866, AC, Letters Received, 1866-1867, reel 7.

held nearly every position in the Freedmen's Bureau during his time in Texas. Although Richter overstates Sinclair's influence and importance by calling him the "real head" of the Freedmen's Bureau in Texas, his importance cannot be denied. In late 1866 Kiddoo ordered him on a tour throughout Central Texas, the upper Brazos River Counties, and parts of South Texas.<sup>61</sup>

Sinclair was greatly dismayed by what he found in late November and early December 1866. He discovered many field agents ignorant about their responsibilities and authority. In no small part this was due to the lack of adequate offices and supplies and the necessary Freedmen's Bureau orders, including regulations and Congressional statutes. "This is partly owing to the fact that agents . . . have very little to guide them in the performance of their duties," Sinclair stated. "It requires a man of no small amount of talent and a good supply of common sense to make a good agent. It is better for the Bureau for the planter and for the freedpeople to have no agent than to have men of no principle and poor judgment." Sinclair believed that the agency's reliance on scalawags caused some problems, for these men often shared the Rebels' racial attitudes about the former slaves. In addition, he noted that a few Bureau men had entered the cotton business at the same time they were agents. According to Sinclair, this practice "opens a door to many practices not at all advantageous to the public interest." The practice of Bureau agents running or owning plantations was a minor problem in Texas and far more prevalent and problematic in other states, like Louisiana.<sup>62</sup>

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<sup>61</sup> Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 125-126, 129.

<sup>62</sup> William H. Sinclair, Inspector, Galveston, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; *Flake's Daily Bulletin*, May 23, 1866; Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 132-134; Special Orders No. 123, October 17, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 139, November 19, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 4, 1866, AC, Letters Received, 1866-1867, reel 8; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 10, 1866, AC, Letters Received, 1866-1867, reel 8; Howard A. White, *The Freedmen's Bureau in Louisiana* (Baton Rouge: Louisiana State University Press, 1970), 34-37. For Bureau agents in cotton planting, see Edwin P. Pearson to [Headquarters], n.d., AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18.

After his tour, which gave him “a good insight into the workings of the Bureau,” Sinclair gave a dozen recommendations to improve the agency’s performance and assist those in the field. He suggested contracts no longer be drawn in a way that assumed all parties understood what was in it or what was expected of them. Sinclair noticed the “indefinite manner in which they are gotten up” and “too many things which should be in are left out or said to be understood.” Too often contracts lacked specifics, like the number of days laborers had to work, the amount of rations provided by employers, the payment (specie or paper), the number of hours each hand was to labor, or who was to provide the bagging and ginning. Bureau agents, Sinclair warned, “cannot be too careful in having the contracts fully understood.” Unnecessary disputes arose when planters attempted to sell the crop, only to have the freedpeople complain about being swindled. “By far,” he believed, “the best way is to give them [freedmen] their share of the crop and let them dispose of it as they choose.” In short, there was a need for printed contracts setting forth “the obligations of both parties.” Sinclair also recommended, and officials agreed a short time later, that SACs send monthly reports to headquarters in Galveston. These reports would detail each field agent’s work and the conditions in each subdistrict. Furthermore, the SAC would list how many days he had been absent from his post and list the reason why; the number of complaints he had adjudicated and the number he deferred to the civil courts; the action by the civil courts in the cases; and the disposition of the white people toward the freedmen and the number of murders and assaults that involved freedmen. If any of these cases went before the local courts, each agent had to specify which cases and the civil court’s action.<sup>63</sup>

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<sup>63</sup> William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 10, 1866, AC, Letters Received, 1866-1867, reel 8; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; L. J. Warner, Inspector, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Letters Received, 1866-1867, reel 9; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., December 23, 1866, AC, Letters Received, 1868-1870.

With his recommendations, Sinclair placed responsibility for the problems both on Bureau officials in Galveston and some of the field agents themselves: officials, for not adequately apprising their field subordinates of their responsibilities; and some of the field agents – as shown by his recommendation for monthly reports and his indictments of civilian agents and those in the cotton business – for being derelict and possibly being too close with white planters. Kiddoo, with the contracting season soon approaching, issued orders that put into effect all the recommendations. In late December he issued Circular No. 25 and followed it with a circular letter to his men in the field. The former reiterated to SACs a need for their diligence in observing contracts very closely. Bureau men were to ensure fairness of the contract and make certain that each party fully understood its stipulations. The latter simply put Sinclair's recommendations into effect.<sup>64</sup>

Whether Kiddoo's policies worked would be another's concern, for in late January 1867 Charles Griffin, commander of the District of Texas, relieved Kiddoo as Bureau chief. Since Griffin's arrival in Texas in late 1866, the relationship between the two officers was anything but cordial. Griffin, Kiddoo's superior, made it policy to communicate with the assistant commissioner through his headquarters staff, rather than personally himself. This greatly annoyed Kiddoo, who had always communicated with previous military commanders in the state personally. "I have never had any such trouble, or rec[ieved] such discourtesy before," Kiddoo complained to Commissioner Howard. Kiddoo also resented the way Griffin treated the Freedmen's Bureau. Although subordinate by law, the organization was allowed free rein by previous district commanders, who interfered with its operations very little. Griffin, however, began the move to consolidate the positions of district commander and assistant commissioner

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<sup>64</sup> Circular No. 25, December 21, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Circular letter from J. B. Kiddoo, December 31, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

under one man. According to Kiddoo, this was a “complete compromise of the dignity of the Bureau.” The relationship became unsalvageable when Kiddoo sent a letter to Howard containing animus toward Griffin. This “breaking of command” was the last straw for Griffin, and he relieved Kiddoo from command. Remembering his own previous censure of Kiddoo “about his drinking and profane language in public” while on a visit to Washington in late 1866, Commissioner Howard agreed with the decision.<sup>65</sup>

Kiddoo had left his mark on the Bureau and on Texas. He had overseen the agency’s expansion into the interior and greater focus on freedmen education, which would be his legacy for many in the organization. For white Texans, however, Kiddoo’s legacy had less to do with his work on freedmen’s education and more to do with his labor policy, the much appreciated Circular No. 14, which returned the former slaves to the cotton fields. “When Gen. Kiddoo came among us the people received him kindly, and in parting with him we are glad the same spirit prevails,” stated the *Galveston Daily News*. “That he is a Radical we will not attempt to deny, but the peculiarity about him is that he is an unprejudiced one. Personally, our relations with him have been most agreeable . . . General Kiddoo has managed the Bureau rather satisfactorily which we think is more than can be said of any other of the heads of the . . . Bureau.”<sup>66</sup>

The Freedmen’s Bureau had greatly expanded throughout the state under Kiddoo. Order had been brought to the labor situation in the state, although problems still remained to be solved. While subassistant commissioners struggled to remedy these problems and planters and freedmen tried to find a satisfactory relationship after slavery’s demise, a new labor situation

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<sup>65</sup> J. B. Kiddoo to O. O. Howard, December 24, 1866, M752C, Letters Received, January-May, 187, reel 44; Charles Griffin to O. O. Howard, [February 1867], M742C, January-May 1867, reel 44; Charles Griffin to O. O. Howard, February 7, 1867, Correspondence, M91, Box 4, Howard Papers – Bowdoin; O. O. Howard to J. B. Kiddoo, November 27, 1866, Manuscript Volume Folio, M91, Box 7, Howard Papers – Bowdoin; O. O. Howard to Charles Griffin, Letters Sent, January 14, 1867, M742C, Letters Sent, January 2-September 20, 1867, reel 3; A. P. Ketchum, A.A.A.G., to J. B. Kiddoo, January 14, 1867, M742C, Letters Sent, January 2-September 20, 1867, reel 3.

<sup>66</sup> *Galveston Daily News*, February 5, 1867.

developed, one that would have lasting repercussions for the freedmen and Texas. As violence against freedmen continued, Bureau agents hoped planters would see that a happy workforce was a productive workforce and that violence against the freedmen directly affected their yearly profits. It was one of many attempts by Bureau agents to protect the freedmen and, like most other options, greatly resisted by planters.

As field personnel dealt with labor, they also struggled to educate the former slaves to the ways of Victorian societal norms. Bureau agents believed that freedmen needed to be shown what marriage meant and what their responsibilities were as husband and wife. SACs lectured black males that as men they were expected to care for their wives and support their children. Moreover, behavior that was tolerated during slavery, like promiscuity and “cohabitation,” was no longer acceptable. Freedwomen, on the other hand, were reminded of their womanly duties as wives and mothers. At the time of Kiddoo’s departure, the Freedmen’s Bureau had the look of a modern bureaucracy, with its rigid chain-of-command and, particularly, its reliance on large amounts of paperwork. In fact, field agents under Kiddoo had become not only protectors of the freedmen, but generators of detailed information for Bureau headquarters. They would continue this role under Kiddoo’s successor, Charles Griffin, who, not trusting Kiddoo and to a great extent some of his choices for Bureau agents, would continue the use of inspection tours to find and dismiss any agents not meeting his standards. But Bureau men under Griffin would also spend a great deal of time on something that previous agents had not and something that many in 19<sup>th</sup>-century white America believed would protect the freedmen’s freedom and ensure their rights: politics.



## CHAPTER 6

### “THEY MUST VOTE WITH THE PARTY THAT SHED THEIR BLOOD . . . IN GIVING THEM LIBERTY”: BUREAU AGENTS, POLITICS, AND THE BUREAU’S NEW ORDER: THE CHARLES GRIFFIN ERA, JANUARY 1867-SUMMER 1867

When Charles Griffin assumed leadership of the Freedmen’s Bureau from Kiddoo in early 1867, the organization had reached its apex in consolidated power. At no other time in its almost four-year existence would the Freedmen’s Bureau be involved in more aspects of the freedmen’s lives with as little civil and state interference. Griffin, however, would reverse this by transferring much responsibility to civil authorities, believing Kiddoo’s policies caused too many problems, such as unnecessary “collisions” between SACs and local officials and actions by agents based more on personal beliefs than law. Ironically, this hand-over of some power to civilian control occurred at the very time Congress consolidated its own power, took control of the Reconstruction process from the president, and passed measures making the governments created under Presidential Reconstruction provisional. With the Act, federal officials hoped to “remake” the former Confederate South through Republican state governments. This would be achieved only through the political power of the freedmen. The Reconstruction Act of 1867 called for voter registration of all white and black men who did not voluntarily aid the Confederacy. Griffin hoped to use the newly enfranchised freedmen to create a “new order” in Texas. With the registration process in the spring and early summer of 1867, the Freedmen’s Bureau and its field agents would enter the maelstrom of politics.

As he changed much of his successor’s policies, Griffin hoped that his “new order” would be one that made the freedmen more self-reliant and less dependent on the federal government. Freedmen would be left to decide their own wages and employers, with little interference, beyond protection against being cheated out of their wages, from Bureau agents.

Griffin, however, was not going to leave the freedmen powerless. Through his “jury order,” the freedmen would be admitted as jurors to help ensure their own justice and protection. Nor was Griffin going to leave his Bureau agents powerless. Although he transferred many responsibilities to civil authorities during his tenure, Griffin also consolidated the Bureau and the military under one central command in Texas. Bureau agents would no longer be assigned to remote areas with little protection against white outrages. Throughout the summer, this change in attitude would produce very good conditions in much of Texas.

A graduate of West Point, Charles Griffin served in an artillery regiment during the war. He participated in the First Battle of Bull Run in 1861, where he narrowly escaped Confederate capture. The next year, after marrying the daughter of an influential Maryland family, Griffin transferred to an infantry regiment. He quickly rose through the ranks, and, due to his meritorious service on the field at the Battle of Five Forks in early 1865, he received command of the V Corps in the Army of the Potomac. Griffin participated in every major battle with the Army of the Potomac and was present for Robert E. Lee’s surrender at Appomattox in April 1865. After the war, Griffin was placed in command of the District of Texas by his friend and staunch opponent of the president’s Reconstruction plan, Major General Philip H. Sheridan. By the time of his appointment as assistant commissioner of the Bureau in Texas a short time later, Griffin had a reputation for tolerating no nonsense and for being a man “quick to resent insult, fancied or real.”<sup>1</sup>

Griffin’s rather volatile temperament was, on several occasions, directed at Kiddoo.

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<sup>1</sup> Richter, *Overreached on All Sides*, 150; Heitman, *Historical Register and Dictionary of the United States Army*, 1:478; George W. Cullum, *Biographical Register of the Officers and Graduates of the U.S. Military Academy at West Point, New York, from Its Establishment March 16, 1802, to the Army Reorganization of 1866-1867*, 2 vols. (New York: D. Van Nostrand, 1868), 2:196-197; Tyler, ed., *New Handbook of Texas*, 3:337; Tyler, ed., *New Handbook of Texas*, 5:1018-1019; William L. Richter, “Tyrant and Reformer: General Griffin Reconstructs Texas, 1865-1866,” *Prologue* 10 (Winter 1978): 226, 229; Boatner, *Civil War Dictionary*, 360-361.

Kiddoo and Griffin had a contentious relationship and quickly frayed each other's nerves. In fact, each officer wrote several letters to superiors in New Orleans and Washington disparaging the other, which contributed to Griffin's removal of Kiddoo. After Kiddoo's removal, Griffin quickly let it be known what he thought of his predecessor's policies and moved to countermand them. In General Orders No. 5, the new assistant commissioner wiped the slate clean. The order completely abrogated previous general and circular orders like the ban on enticement (Circular No. 14) and the order for Bureau agents to enforce that ban (Circular No. 17), Kiddoo's contract guidelines (Circular No. 25), and the order to agents to disregard the state's labor law (General Orders No. 2). In effect, Griffin's policy conformed to the War Department's General Orders No. 26, which accepted civil jurisdiction to try civilians.<sup>2</sup>

With consent from Commissioner Howard in Washington, the assistant commissioner also moved to cancel Kiddoo's order for payment of labor contract approval. Kiddoo allowed SACs to charge \$1.00 for approving labor contracts. Although in place for only a couple of months, Kiddoo's payment order had already caused much confusion, which Griffin deemed counterproductive. Griffin finally clarified the boundaries for each district throughout the state. Since Gregory's administration, subdistrict boundaries had not been specified. Instead, they were often informed their jurisdiction extended to any case or problem they could reach. Such a policy led to many problems. Friction occurred when agents investigated cases that another agent believed fell within his district. Neglect occurred, when agents, not wanting to "step on anyone's toes," believed freedmen beyond their reach and under the jurisdiction of the agent in the next county. Despite the creation of subdistricts – in all, there would be a high of 57 by July 1867 – Bureau headquarters in Galveston still expected all field personnel to take cognizance "of

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<sup>2</sup> General Orders No. 5, February 2, 1867, TxAGO, Box 401-861, Folder 861-26; Richter, "Tyrant and Reformer," 230. For the correspondence from Griffin and Kiddoo to Howard, see Box 5, folders for December 1866 through February 1867, Correspondences, Freedmen's Bureau Period, Howard Papers – Bowdoin.

all cases occurring when it may be more convenient for you to act than any other sub asst com upon whose jurisdiction it may be possible you are encroaching on your actions.” In short, Bureau agents were expected either to render assistance, if possible, regardless of subdistrict boundaries, or inform the adjacent agent of the situation. Either way, they had to act.<sup>3</sup>

The Freedmen’s Bureau’s new course in Texas was laid down in General Orders No. 4, which Griffin issued to bring about a “natural sense” he believed lacking in Texas. Griffin delineated changes in labor policy and hoped to implement a policy that moved closer to the essence of free labor, with as few constraints as possible on the choice of employment and compensation. Beyond ensuring that no labor contract was made for longer than one year, Bureau agents were to place no constraint on the freedmen’s choice of employer and wage, for these were to be dictated by the free market. Griffin allowed local officials, such as county judges and clerks, justices of the peace, public notaries, as well as subassistant commissioners, to approve contracts, a departure from previous policy. Griffin wanted to end what he saw as constant collisions between local officials and Bureau personnel about authority by reining in field personnel. Despite the reservations some SACs had about delegating so much responsibility to state officials, he reiterated that the state’s vagrancy and apprenticeship laws were to be enforced only if local officials impartially administered them. Agents retained the right to annul any contract or interfere with any civil case they deemed unfair, illegal, or discriminatory. Despite delegating immense responsibility to local authorities, Griffin reiterated

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<sup>3</sup> J. T. Kirkman, A.A.A.G., to J. R. Fitch, Indianola, March 18, 1867, AC, Letters Sent, September 1865-March 1867, reel 1; General Orders No. 9, February 12, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; General Orders No. 1, January 1, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869; General Orders No. 3, January 29, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, July 15, 1867, M752C, Letters Received, June-August, 1867, reel 48; O. O. Howard to [Charles Griffin], January 24, 1867, AC, Letters Received, 1866-1867, reel 6; Edward Miller, Victoria, to J. T. Kirkman, A.A.A.G., January 24, 1867, AC, Letters Received, 1866-1867, reel 7.

that his policies did not absolve the Freedmen's Bureau and its personnel of protecting the freed community and their rights. "I now propose to make interference with the state [authorities] the exception and not the rule," he wrote, "but that every decision that the Bureau does make shall, if necessary, be instantly backed up by the Military force necessary to command obedience and respect."<sup>4</sup>

In early summer of 1867, Griffin issued a circular and letter to all SACs. In it, he repeated his conviction that the path to success for the former slaves was founded in contracting. "Whenever you may think it necessary," Griffin wrote, "you will address the freedmen urging upon them the necessity of industry & of close adherent [sic] to their contracts." Acknowledging the freedmen's choice in the labor system, the Bureau chief believed that choice should be an informed one. Griffin wanted his agents to warn the freedpeople about chasing higher wages at the expense of contracting with responsible planters. Finally, although he wanted his subordinates to display moral persuasion toward the black and white communities, the assistant commissioner also instructed field agents, if necessary, not to refrain from more forceful remedies to change behavior.<sup>5</sup>

At the same time he was changing the agency's direction, Griffin moved to restructure Bureau operations in the field. Already jointly holding the command of the District of Texas and the office of assistant commissioner of the Freedmen's Bureau in Texas, something he believed

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<sup>4</sup> Endorsement of letter from Chilton and Branch to Charles Griffin, February 4, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; Charles Griffin to O. O. Howard, February 18, 1867, M752C, Letters Received, January-May, 1867, reel 44; General Orders No. 4, January 30, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19. For an example of concern about certain aspects of Griffin's policies, believing that they delegated too much responsibility to civil responsibilities, see Charles F. Rand, Marshall, to J. T. Kirkman, A.A.A.G., February 26, 1867, AC, Letters Received, 1866-1867, reel 7.

<sup>5</sup> J. T. Kirkman, A.A.A.G., to all Subassistant Commissioners, June 21, 1867, AC, Letters Sent, March 1867-May 1869, reel 2; Circular No. 1, February 2, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

would better coordinate reconstruction efforts in the state, Griffin further married the Army and the Bureau through his Circular Orders No. 3. With it, Griffin greatly expanded the number of subassistant commissioners. When he assumed the assistant commissionership, Griffin had twenty-nine men in the field, including two civilian agents (those who had no military experience during the war). At the time of his death in September 1867, however, Griffin had 57 SACs, 10 ASACs, and 1 traveling agent, including 15 civilians. The order made all post commanders subassistant commissioners, but only if there was not already an assigned agent to the area. This significantly expanded the number of field personnel, which reached its high point at seventy-two in July 1867 (61 SACs and 11 ASACs). This now placed a Bureau man within reach of all citizens, something nearly one-half of Texans could not say under Kiddoo. General Orders No. 3 also increased protection for agents. Unlike earlier, Bureau men now were to have easier access to the full weight of the United States Army. No longer would field personnel be unprotected. In fact, each agent received an escort (5 men), and, of course, those simultaneously performing SAC and post commander duties could call on their companies for assistance. Upon request, all post commanders were to render full protection and assistance to Bureau men. As William R. Richter, a student of the Bureau and military in Texas, states, “it was not merely the numbers that were important, it was an attitude.” In other words, Griffin hoped to create a “new order” out of what he believed were the chaotic and misguided policies of Kiddoo.<sup>6</sup>

A change in attitude also came from the halls of Congress. Angered by a lack of remorse from the former Confederates, frustrated by a stubborn President Andrew Johnson, and worried that his Reconstruction policies were too lenient, Radical Republicans wrestled control of

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<sup>6</sup> Richter, *Overreached on All Sides*, 158; General Orders No. 4, January 30, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, July 1, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Charles Griffin to O. O. Howard, July 15, 1867, M752C, June-August, 1867, reel 48; Claude Elliot, “The Freedmen’s Bureau in Texas,” *Southwestern Historical Quarterly* 56 (July 1952): 14; Richter, *Army in Texas During Reconstruction*, 74.

Reconstruction from the president in early 1867. Both houses of Congress passed the Reconstruction Act of 1867 over the president's veto. Under the Act's provisions, all state governments in the former Confederate states (except Tennessee) established under Presidential Reconstruction were now provisional. The former Confederate states were divided into five military districts and a military officer appointed to head each district. Each district's commanding officer would call for a constitutional convention to draft a new constitution. He would also supervise the election of a new governor and state government, which had to meet certain requirements before being readmitted to their seats in Congress. In early 1867 the former states of the Confederacy were placed under martial law. Texas and Louisiana constituted the Fifth Military District, with Philip H. Sheridan as its commander. Congressional Reconstruction had begun.<sup>7</sup>

Empowered with new political functions, Griffin's "new order" would come about through the ballot and the jury box. In a series of orders throughout the spring of 1867, Griffin implemented guidelines for registration. According to military historian William L. Richter, although Griffin "issued these orders as army commander . . . he relied on his bureau field representatives to coordinate the registration process." The Reconstruction Act of 1867, which made the Throckmorton government provisional, called for voter registration of all males, white and black. All eligible men were to elect delegates to create a new state constitution. All those who had sworn an oath to the United States then engaged in rebellion were to be excluded from holding office by the Fourteenth Amendment. Anyone disqualified for office by the Fourteenth Amendment was also disqualified from voting for delegates to the constitutional convention. There was much room for interpretation in the Reconstruction Act of 1867, which allowed

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<sup>7</sup> *Statutes at Large*, 14:428-429.

Sheridan and Griffin to interpret the restrictions for voting quite narrowly. In fact, they ordered all subordinates to “exclude from registration every person about whose right to vote there may be doubt.” Griffin created fifteen registration districts (which comprised 11-15 counties each) throughout the state. Within these districts, Griffin appointed white Unionists, freedmen, and some Bureau agents to three-man boards of registrars. Located in every county in the state, these boards were to make a list of those registered and disqualified in each county. Each registration board was to use its best judgment. Thus, they had broad authority to disfranchise anyone who they believed less than forthright about past loyalty. Griffin wanted registration to be completed by September 1, 1867.<sup>8</sup>

All field personnel were ordered to ensure a smooth process and help oversee the registration process to begin in early summer of 1867. They were to lend assistance to the boards as well as offer protection, and make out monthly reports to superiors on the progress of registration. Beyond protection and advice, however, Bureau agents were ordered not to “interfere in any way with the Registrars in [their] subdistricts.” To aid in the process and fearing trouble from “unreconstructed” whites, Griffin ordered all boards to operate out of county courthouses, but SACs could recommend more suitable sites. The registration boards were ordered to create a list of possible office holders to replace those deemed by military and Bureau officials as “impediments to Reconstruction.” Griffin, biding his time before he sprung his trap, believed former Confederates incapable of rendering impartial justice. Only Unionists in office would protect the freed community’s “rights of person and property” and protect against “insurrection, disorder, and violence.” In order for that to be achieved, Griffin realized that the

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<sup>8</sup> Richter, *Overreached on All Sides*, 204-207; Richter, “Tyrant and Reformer,” 245; *Statutes at Large*, 14:429; *Statutes at Large*, 15:2-4; Lieberman, “Freedmen’s Bureau and the Politics of Institutional Structure,” 429; Randolph B. Campbell, *Gone to Texas: A History of the Lone Star State* (New York: Oxford University Press, 2003), 276; Owens, “Presidential Reconstruction,” 180.



“rebel government,” which came to power under Presidential Reconstruction, had to be neutralized. “I should just as soon look to the English Crown to leave the establishment of peace in Ireland to the Fenians,” the assistant commissioner declared to Howard in Washington, “as to see our nation leave the reconstruction of the southern states to those that tried to destroy the government.”<sup>9</sup>

With its responsibilities for voter registration, the Freedmen’s Bureau entered the “maelstrom of politics,” and its field agents were now widely regarded as the foot soldiers for a Republican political machine. Nonetheless, Howard resisted attempts to turn his agency into an “overt” political organization. But the very work Bureau men engaged in and the relationship they had with the freed community naturally brought SACs and the organization into politics. In their political role, Bureau men were to explain voter registration to the freedmen and to protect them against rumors, threats, false information, and violence. In other words, they had to protect the former slaves against anything that would prevent them from registering and voting. Agents were advised not to express their political beliefs publicly. No evidence exists that Bureau agents in Texas publicly made partisan speeches against Democrats as happened in other states. In fact, SACs in Texas preferred their political doings to be covert, right “under the noses” of white Texans. Nor did they advise, campaign, or help the Democratic party. Bureau agents in the Lone Star State, however, would not have considered themselves as Radical Republicans. SACs in Texas believed, to a large extent, President Andrew Johnson’s policies and Throckmorton’s government caused or exacerbated many of their problems. Thus, they sympathized and aided the Radical Republicans and worked for that party’s ascension to power

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<sup>9</sup> Endorsement of letter from Charles E. Culver, Cotton Gin, to J. P. Richardson, A.A.A.G., November 2, 1867, AC, Endorsements Sent, September 1867-May 1869, reel 2; Charles Griffin to O. O. Howard, June 17, 1867, M752C, Letters Received, June-August, 1867, reel 48; *Statutes at Large*, 14:428; William R. Richter, “‘Devil Take Them All’: Military Rule in Texas, 1862-1870,” *Southern Studies* 25 (Spring 1986): 17; J. T. Kirkman, A.A.A.G., to Subassistant Commissioners, March 30, 1867, AC, Letters Sent, September 1865-March 1867, reel 1.

in the state.<sup>10</sup>

One of the main duties of Bureau men during the registration process was to protect registrars. White Texans never hesitated to lash out or assault registrars, especially as whites began to see these men as Radical Republican tools to disfranchise the white community at the same time they enfranchised the former slaves. The fact that a good portion of the registrars in Texas were black made the protection that Bureau agents afforded all the more necessary. “Big Foot” Wallace, the famed former Texas Ranger, for example, attempted to register to vote. The board, however, disqualified him. Wallace recalled the incident many years later.

I don't think I ever felt less like giving quarter in my life but once, and that was when a big buck nigger, with a nose like [a] dormant window, and a pair of lips that looked like he had been sucking a bee gum and got badly stung in the operation, objected to my registering as a voter. He was one of the board of registrars at Clarksville, but he was not in a condition to object to any one else registering that day, and probably the next, for I took him a club over the head that would have stunned a beef, but he never winked; I changed my tactics and gave him twelve inches of solid shoe leather on the shins that brought him to his milk in short order. The buro fined me fifty dollars and costs, but the amount is not paid yet, and probably won't be until they can get a crowd that is good at traveling and fighting Indians to pilot the sheriff to my ranch.<sup>11</sup>

Field personnel also made recommendations for possible registrars, and on a few occasions, they even appointed them. Mathew Young at Belton wanted a black registrar to be appointed to aid the registration process, while William H. Sinclair believed it wiser to appoint only whites, not wanting to anger whites further. Bureau men also personally involved themselves in the registration process, advocating for or against certain individuals to be registered or disqualified. P. B. Johnson at Woodville admitted applying strict standards so that “all rebels are refused registration.” So too did Enon M. Harris in Colorado County. According

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<sup>10</sup> Carpenter, *Sword and Olive Branch*, 135, 139; *House Miscellaneous Document*, 41<sup>st</sup> Congress, 2<sup>nd</sup> Session, No. 154, pp. 35, 38; Cox and Cox, “General Howard and ‘Misrepresented Bureau,’” 442-443, 447-450; Engelsman, “Freedmen’s Bureau in Louisiana,” 164; Richard L. Hume, “The Freedmen’s Bureau and the Freedmen’s Vote in the Reconstruction of Southern Alabama: An Account by Agent Samuel S. Gardner,” *Alabama Historical Quarterly* 37 (Fall 1975): 219.

<sup>11</sup> J. W. Wilbarger, *Indian Depredations in Texas* (Austin: Steck Company, 1935), 128.

to John Dix at Corpus Christi, the guidelines set down by Griffin needed to be more stringent. “I have some doubts about the working of the proposed plan of registration,” he wrote, “the number of traitors that will be disfranchised by it, I fear, will not be sufficient to secure a loyal convention, there may be so many rebels that will work into the convention that it will be difficult, if not impossible, to frame a constitution that will be republican . . . and therefore unacceptable.” Other agents were less stringent and wanted greater discretion to be applied to registration. Patrick F. Duggan wrote officials at headquarters about five hundred “Africans” who could not register under the instructions given. No provisions had been made for this class of people, and the board had to reject them. “Do not these men bear the same relation to the American of African descent under the circumstances,” he asked, “and if so, are they not entitled to the same privileges as the African American.” Duggan may not have been so proactive for a group that would not vote Republican. Beyond the written instructions issued by Griffin, each agent, particularly those who sat as registrars, could greatly influence the registration process. As a result, a uniform process throughout the state never happened, and many inconsistencies and much confusion existed throughout the process.<sup>12</sup>

Headquarters officials in Galveston wanted field personnel to compile lists of Unionist men capable of taking the ironclad oath in their subdistricts. They were to find “undoubted

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<sup>12</sup> Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., August 6, 1867, SAC, Letters Sent and Registers of Letters Received with Endorsements, April 1867-November 1868, reel 15; P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; John Dix, Corpus Christi, to J. T. Kirkman, A.A.A.G., April 23, 1867, AC, Letters Received, 1866-1867, reel 5; J. T. Kirkman, A.A.A.G., to [SACs], July 10, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; William H. Sinclair, Inspector, to N. Prime, Secretary, Office of Civil Affairs, June 22, 1867, Letters Received, April 1867-May 1869, Correspondences of the Office of Civil Affairs of the District of Texas, the 5<sup>th</sup> Military District, and the Department of Texas, 1867-1870, Record Group 393, National Archives and Records Administration, Washington, D.C. (Microfilm M1188, reel 7), hereafter cited as OCA; Mathew Young, Belton, to J. T. Kirkman, A.A.A.G., July 16, 1867, SAC, Letters Sent, July-December 1867, reel 13; Randolph B. Campbell, *Grass-Roots Reconstruction, 1865-1880* (Baton Rouge: Louisiana State University Press, 1997), 39; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., May 21, 1867, SAC, Letters Sent, February 1867-February 1868, reel 13; William A. Russ, Jr., “Registration and Disfranchisement Under Radical Reconstruction,” *Mississippi Valley Historical Review* 21 (September 1934): 171-172.

union men” to develop “national principles” in the state. This list would be used to find replacements for those county officials deemed “impediments to Reconstruction.” Although military officials removed some high level state officials, most notably Governor Throckmorton, in the summer of 1867, they were hesitant to “wipe the slate clean.” This hesitancy even applied to officials at the county level. Nonetheless, military and Bureau officers still wanted their subordinates to find suitable men to replace local officials who needed to be removed in the future. This task could be quite difficult for some agents. “The number of loyal white men in [Matagorda] is so small that there is not much material to choose from,” reported William Garretson to N. Prime, Secretary of Civil Affairs in Texas. “I think there are not ten loyal white men in this place.” Gregory Barrett faced a similar problem. Because there were so few qualified men in his district able to take the oath, Barrett recommended a man who had served in the Confederate army but, according to him, was “thoroughly loyal and will make an efficient officer.”<sup>13</sup>

C. S. Roberts experienced the same difficulty in northeast Texas after the sheriff of Clarksville had to be removed. His removal “was desirable, but I have since become convinced that he is the best man in the County for the position.” Arthur B. Homer at Columbia had difficulty with a justice of the peace who required all freedmen to first deposit funds before he would hear their cases. The judge’s actions, according to Governor E. M. Pease, were wrong, for no law in Texas required such a deposit. Pease further informed Homer that a judge could ask for a deposit, but if a complainant “is unable to pay the process and trial of his cause will be free of cost.” Bureau officials instructed Homer to begin looking for a suitable replacement for the justice. Homer soon answered back that no one in his district could take the required oath.

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<sup>13</sup> C. S. Roberts, Clarksville, Special Duty, to J. T. Kirkman, A.A.A.G., August 14, 1867, AC, Letters Received, 1866-1867, reel 7; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., June 2, 1868, AC, Letters Received, 1867-1869, reel 10; Richter, “Tyrant and Reformer,” 235-239.

Besides, the Bureau man continued, with the threat of removal hanging over the justice's head, he "has since shown a disposition to do justice to all parties." With the authority to recommend an official's dismissal, field agents definitely enjoyed enhanced power to deal with recalcitrant whites. "The County Judge in San Augustine," Albert A. Metzner wrote to superiors, "is a jack-ass and an unprincipled man."<sup>14</sup>

A few Bureau men did not have to worry about "disloyal" judges, because they were the judges for their subdistricts. Including the agents who served concurrently as judges (Albert Latimer, Hardin Hart, Thomas H. Baker, and F. P. Wood), thirty-two men out of the 234 who served as SACs in Texas held public office at one time or another. They either left Bureau service for public office or entered politics shortly after the organization ceased operations in the state. Of those who held public office, eighteen were civilian agents, having no military experience during the war. These men, however, did not use their positions as SACs for political aggrandizement, for most had been in political office prior to their Bureau service or entered politics after resigning from the Bureau. A good portion attained political office through political and military connections or recommendations from high ranking Republicans like A. J. Hamilton and E. J. Davis. Certainly their service helped with their future political careers, but it would be easy to overestimate its importance since so few entered political office. The small number is surprising, considering that so many of these men were moved by the patriotism of the war, there were so many opportunities and political vacancies during Reconstruction that opened up, and there were thousands of newly enfranchised black men entered the political scene, who

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<sup>14</sup> J. P. Richardson, Austin, to J. T. Kirkman, A.A.A.G., SAC, Letters Sent, October 1866-May 1867, reel 12; William Garretson, Matagorda, to N. Prime, Secretary, Office of Civil Affairs, July 1, 1867, SAC, Letters Received, May-September 1867, reel 24; E. M. Pease to J. J. Reynolds, February 27, 1868, AC, Letters Received, 1867-1869, reel 12; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., March 17, 1868, AC, Letters Received, 1867-1869, reel 12; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., July 27, 1868, AC, Letters Received, 1867-1869, reel 12; Albert A. Metzner, San Augustine, to James C. Devine, Galveston, August 14, 1867, AC, Letters Received, 1866-1867, reel 7.

had unquestioned faith and confidence in Bureau men. All these things contributed to almost assure any Bureau agent an elective office if he so desired. That so few men used their positions for political aggrandizement strengthens the claim these men were committed to the work of the Bureau and helping the freedman.<sup>15</sup>

Who were some of these agents who entered politics? After his very eventful and indispensable Freedmen's Bureau career, William H. Sinclair received an appointment as clerk and county treasurer for Galveston County. In 1870 he won election to the state legislature from Galveston. A Republican, he soon became speaker of the house during an intraparty feud that involved then speaker and former Bureau agent Ira H. Evans. Sinclair later returned to Galveston and was collector of internal revenue for the city and its postmaster general. Prussian-born Jacob C. DeGress was the first Texas state superintendent of schools, an appointment he received from Radical Republican Governor E. J. Davis. He held the position until 1873, when a Democratic governor removed him. In order to prevent the Democratic governor who had removed him from taking office, DeGress and a group of other Republican men tried to load the cannon displayed on the capitol grounds but found it spiked. Although despised as a carpetbagger, DeGress remained in Texas. In fact, until his death in 1894, he remained active in the state's Republican party, serving as mayor and postmaster of Austin and a delegate to several state Republican conventions. Oscar F. Hunsaker, a former Confederate who defected to the Union side and served with E. J. Davis in the 1<sup>st</sup> Texas Cavalry (U.S.), was an active member of the Union League in Texas. Anthony M. Bryant, A. G. Malloy, and Byron Porter served as

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<sup>15</sup> Those agents who either held political office concurrently as subassistant commissioner or entered politics shortly after their tenure as SACs were Champ Carter, William Garretson, John Dix, A. K. Foster, A. H. Cox, Jacob C. DeGress, Johnathan T. Whiteside, William H. Sinclair, Byron Porter, J. P. Richardson, George T. Ruby, Albert H. Latimer, Hardin Hart, F. P. Wood, John H. Archer, Edwin Finch, Alex B. Coggeshall, E. M. Wheelock, P. B. Johnson, James P. Butler, Ira H. Evans, Thomas H. Baker, Oscar F. Hunsaker, D. S. Hunsaker, Charles Haughn, John H. Morrison, Fred W. Reinhard, Thomas C. Griffin, John C. Conner, Mortimer H. Goddin, A. G. Malloy, and Anthony M. Bryant.

delegates to the National Republican Convention in 1868.<sup>16</sup>

J. P. Richardson, a lawyer by trade, became a district judge. John Dix, born in Massachusetts but a resident of the state prior to its independence from Mexico, opposed secession and paid dearly for his Unionist beliefs. In fact, the last Confederate grand jury in Nueces County indicted Dix for treason, but lucky for him, the U.S. Army occupied the county shortly thereafter. A county judge at the time of his appointment, Dix received an appointment as Bureau agent for Nueces County in the spring of 1867, mostly on the recommendation of his friend E. J. Davis. Because he advocated for a harsher Reconstruction than the president's, whites in the county accused him of being part of "a dangerous combination" that included Davis and other Unionists. Despite the accusations, he served ably as SAC until the Freedmen's Bureau ceased operations in the state. Afterwards, military officials appointed him chief justice and postmaster of Corpus Christi, where he served until his death in 1870.<sup>17</sup>

A few men had Democratic leanings. It appears that a Bureau man's political leanings were not sufficient to warrant his dismissal so long as he fulfilled his responsibilities to Bureau officials' satisfaction. Democrat Champ Carter, who was relieved as a Bureau agent after he abused freedmen, was president of the Conservative State Convention and an officer at the Taxpayers Convention. Laredo agent John C. Conner relocated to Grayson County and won election to the House of Representatives. The northern Democrat who came south, in fact,

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<sup>16</sup> Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 152-155; Tyler, ed., *New Handbook of Texas*, 2:565-566; Nunn, *Texas Under the Carpetbaggers*, 127; Carl H. Moneyhon, *Republicanism in Reconstruction Texas* (Austin: University of Texas Press, 1980), 158; Paul D. Casdorph, *A History of the Republican Party in Texas, 1865-1965* (Austin: Pemberton Press, 1965), 51, 7, 47, 249; Ernest William Winkler, ed., *Platforms of Political Parties in Texas* (Austin: University of Texas Press, 1916), 128.

<sup>17</sup> R. J. Denny, et. al., to Charles Griffin, June 5, 1867, AC, Letters Received, 1866-1867, reel 5; Randolph B. Campbell, "Scalawag District Judges: The E. J. Davis Appointees, 1870-1873," *Houston Review* 14 (Fall 1992): 81; Randolph B. Campbell, *Grass-Roots Reconstruction in Texas, 1865-1880* (Baton Rouge: Louisiana State University Press, 1997), 90; Tyler, ed., *New Handbook of Texas*, 2:657; E. J. Davis to J. T. Kirkman, A.A.A.G., August 2, 1867, AC, Letters Received, 1866-1867, reel 5.

defeated Republican Anthony M. Bryant, who was also a former Bureau agent in Texas, for the seat. Thomas H. Baker was also a Democrat and often disputed with high-ranking state officials in Republican governor E. M. Pease's government in Austin about "political questions upon which Loyal men of the state differ." He wrote Bureau headquarters in July 1868 when he discovered "that there is a party in Austin that [is] anxious . . . to destroy my influence." He wrote that these men wanted to get his removal from office due to his political beliefs. Baker's service as agent must have been satisfactory to Bureau officials, for he remained the agent for Lockhart until the Bureau closed its doors in Texas.<sup>18</sup>

Some field agents who left Bureau service for political office were not missed. For every George T. Ruby, who from all accounts acquitted himself very ably, there was another like P. B. Johnson, who was derelict in his duties and absconded with government funds. The opportunity for public office, in a way, rid the organization of a few lazy and quite ineffective men, who by their actions and words, appeared less than committed to their jobs and the freedmen. For example, William Garretson seemed like an ideal candidate for Bureau service. A native Pennsylvanian and brother of Charles Garretson, an acting assistant adjutant general on Griffin's staff, Garretson received an appointment as the SAC at Matagorda in the spring of 1867. According to one historian, however, Garretson quickly soured on the job. Throughout the spring and summer, he constantly complained about lazy freedpeople, mean-spirited and disloyal planters, the unpredictable Texas weather, the lack of troops in his subdistrict, and the duties of the subassistant commissioner. This continued even after Bureau officials allowed him to hire a clerk. After the yellow fever epidemic in late summer of 1867, Bureau officials recalled Garretson to headquarters in Galveston. Before he could be reassigned to another subdistrict,

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<sup>18</sup> Thomas H. Baker, Lockhart, to E. M. Pease, July 14, 1868, AC, Letters Received, 1867-1869, 15; Winker, ed., *Platforms of Political Parties*, 128; Tyler, ed., *New Handbook of Texas*, 2:274



Garretson accepted a position at the state penitentiary in Huntsville as the prison's financial agent.<sup>19</sup>

Born in Virginia, Mortimer H. Goddin immigrated to Texas in the 1850s. Although a slave owner, he opposed secession and refused any service for the Confederacy. Despite being a scalawag, Griffin believed him the right man to be an agent. In fact, Griffin, on several occasions, offered him a position in the Freedmen's Bureau (this is ironic since Goddin often warned Bureau officials not to appoint scalawag agents because they could not be trusted). He initially refused Griffin's offer, but eventually took the position. Goddin reminded those at headquarters of his Unionist stance, claiming he never saw the day where "I would have taken the oath to support Jeff Davis' Wheelbarrow concern." He considered himself one of the few "white livered, sand gizzard, Dirt eating Unionists." This stance won him an appointment as justice of the peace during the A. J. Hamilton administration. When appointed to Livingston, Polk County, Goddin looked forward to the opportunity to give the Rebels some of their own medicine. "How I do want a chance at them," he eagerly reported to superiors. His opportunity

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<sup>19</sup> James C. Devine, Inspector, to J. T. Kirkman, A.A.A.G., July 22, 1867, AC, Letters Received, 1867-1869, reel 15; Special Orders No. 51, May 2, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. T. Kirkman, A.A.A.G., to William Garretson, Matagorda, April 12, AC, Letters Sent, March 1867-May 1869, reel 1; Richter, *Overreached on All Sides*, 182; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., May 18, 1867, AC, Letters Received, 1866-1867, reel 5; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., May 21, AC, Letters Received, 1866-1867, reel 5; J. T. Kirkman, A.A.A.G., to William Garretson, Matagorda, May 23, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 6, 1867, AC, Letters Received, 1866-1867, reel 5; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 14, 1867, AC, Letters Received, 1866-1867, reel 5; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; J. T. Kirkman, A.A.A.G., to A. P. Ketchum, A.A.A.G., District of Texas, August 24, 1867, AC, Letters Sent, March 1867-May 1869, reel 2; Special Orders No. 88, August 24, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Election Registers 1838-1972: Appointments to Office under Provisional Government, August 1866-1870 and Election and Appointment of State and County Officials, 1866-1870, Texas State Archives and Library, Austin, Texas, reel 4, pg. 68 (hereafter cited as Election Registers).

would last but a few months and would end with him fleeing Livingston for his life.<sup>20</sup>

Upon assuming the position of SAC, Goddin zealously jumped into his duties. But soon his zealousness transitioned into belligerency as he described most of the whites in his district as so disloyal as to make the “Devil blush.” “The Devil is in some of them,” Goddin wrote, “as big as Hell itself.” He unnecessarily clashed with the white population, even with a fellow Bureau man, and his abrasive tone and demeanor led to one assassination attempt. According to Goddin, there were few loyal men in the area and most of the civil officers in Livingston were Rebel secessionists. In late summer of 1867, feeling powerless to protect the freedmen, Goddin wrote the post commander at Woodville that his subdistrict was in “insurrection” and a war between the races was imminent. Having sent soldiers to help Goddin three previous times, L. H. Sanger, the post commander at Woodville, personally went to investigate conditions in Livingston, believing the agent might be a little paranoid. He noted Goddin’s zeal and the difficulty a civilian agent experienced, compared to a military officer, when he “acts vigorously.” But he further noted how Goddin had acted “too” vigorously, sometimes bordering on recklessness. Sanger reported observing no rebellion, but for the “result of his [Goddin’s] own fears and the tales of idle freedmen.” Moreover, the officer noted if “any disturbance does take place it will be caused by [Goddin’s] own injudicious course and lack of judgement [sic].” Too often, according to Sanger, the field agent at Livingston had decided cases by his political leanings, without an

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<sup>20</sup> Mortimer H. Goddin to [Charles Griffin], April 19, 1867, AC, Letters Received, 1866-1867, reel 5; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., April 15, 1867, AC, Letters Received, 1866-1867, reel 5; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; J. T. Kirkman, A.A.A.G., to Mortimer H. Goddin, Livingston, March 26, 1867, AC, Letters Sent, October 1865-September 1867, reel 2; Mortimer H. Goddin, Livingston, to [Charles Griffin], April 1, 1867, AC, Letters Received, 1866-1867, reel 5; Tyler, ed., *New Handbook of Texas*, 3:196-197; Mortimer H. Goddin, Livingston, to Charles Garretson, A.A.A.G., September 25, 1867, AC, Letters Received, 1867-1869, reel 11; Mortimer H. Goddin to [Charles Griffin], April 1, 1867, AC, Letters Received, 1866-1867, reel 5; Special Orders No. 35, March 25, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Mortimer H. Goddin to [Charles Griffin], April 19, 1867, AC, Letters Received, 1866-1867, reel 5.

investigation or “good reason.”<sup>21</sup>

Sanger did not doubt Goddin had received threats to his life, “but these he magnifies.” Furthermore, he believed, these threats were caused by “his want of discretion.” In fact, Goddin so irritated the white people in his subdistrict that several of them convinced a couple of U.S. soldiers to try kill the Bureau agent (he survived the attempted assassination). Sanger recommended that the agent be removed “*at once*” before he got himself killed or caused any further damage. As Sanger wrote his letter to superiors, Goddin fled to Huntsville, fearing for his life. After resigning from the Freedmen’s Bureau, Goddin was a delegate at the state’s Constitutional Convention in 1868-1869, district clerk and justice of Walker County, mayor of Huntsville, and editor of a Radical Republican newspaper. His troubles, however, did not end once he left Livingston. In addition to a brief dispute with William H. Howard, the SAC at Huntsville, Goddin was threatened by four assailants, quite possibly individuals he angered during his tenure in Livingston. They forced him “to beg for his life.”<sup>22</sup>

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<sup>21</sup> Mortimer H. Goddin, Livingston, to [Charles Griffin], April 15, 1867, AC, Letters Received, 1866-1867, reel 5; Mortimer H. Goddin, Livingston, to [Charles Griffin], June 3, 1867, AC, Letters Received, 1866-1867, reel 5; Brvt. Maj. L. H. Sanger, Post of Livingston, Commander, to A. H. M. Taylor, A.A.A.G., District of Texas, August 5, 1867, AC, Letters Received, 1866-1867, reel 8; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; L. H. Sanger, Woodville, to J. T. Kirkman, A.A.A.G., September 10, 1867, AC, Letters Received, 1867-1869, reel 15; Mortimer H. Goddin, Livingston, to [Headquarters], June 22, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., July 24, 1867, AC, Letters Received, 1866-1867, reel 5; Mortimer H. Goddin, Livingston, to [Headquarters], September 10, 1867, AC, Letters Received, 1867-1869, reel 11; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., September 9, 1867, AC, Letters Received, 1867-1869, reel 11; Mortimer H. Goddin, Livingston, to [Headquarters], August 31, 1867, AC, Letters Received, 1867-1869, reel 11; Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October 1867, reel 22; Mortimer H. Goddin, Livingston, to J. A. Potter, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21.

<sup>22</sup> L. H. Sanger, Woodville, to J. T. Kirkman, A.A.A.G., September 10, 1867, AC, Letters Received, 1867-1869, reel 16; Tyler, ed., *New Handbook of Texas*, 3:197; Mortimer H. Goddin, Livingston, to [Headquarters], n.d., AC, Letters Received, 1867-1869, reel 11; Mortimer, H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; Special Orders No. 90, September 28, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; L. H. Sanger, Livingston, to Charles Garretson, A.A.A.G., AC, Letters Received, 1867-1869, reel 15; James Lowrie, Jasper, to J. J. Reynolds, October 13, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; James Lowrie, Jasper, to J. J. Reynolds, October 22, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports

Goddin's case showed that a man no longer with the Freedmen's Bureau could still face the possibility of violence for "past transgressions." For the white community during Reconstruction, memories rarely faded and debts were always outstanding. Several former agents learned that their Bureau service, although distant in their own minds, still burned fresh in the white community's memory. Many white Texans regarded white Bureau agents as traitors to their race. Charles Haughn, after serving as SAC in various spots around the state, entered politics as justice of the peace in Marion, County. Haughn was known as a Republican leader in northeastern Texas and continued his defense of the former slaves. And because of his beliefs, he faced the same persecution. "[F]or the last ten years of his life," reported one U.S. attorney, "Haughn, solely on account of his political convictions, was at no time safe from personal damage, so far from 'persecuting' people he was 'persecuted' to death himself, his faults consisted of his devotion to the principles of the Republican party which he sealed with his blood." After a day's work at his office in 1883, the former Bureau man left for home. While en route, he was ambushed by 50-75 men. Haughn immediately knew what the men who confronted him came to do. "Are you going to kill me?" he asked. "Yes I am going to kill you," the ringleader answered, "you God damned son of a bitch." Shots rang out and the former SAC was dead. The investigation into his death found his involvement as a witness in a pending election fraud case as a motivating factor in his death. But it was not the only reason. "For years," reported the federal official sent to investigate the murder, "Haughn has been surrounded by men who earnestly wished him in his grave, and they but awaited the opportune time."<sup>23</sup>

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of Operations and Conditions, November-December, 1867, reel 23. For the dispute with William H. Howard, see William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., December 25, 1868, AC, Letters Received, 1867-1869, reel 12; and William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., February 3, 1869, AC, Letters Received, 1867-1869, reel 12.

<sup>23</sup> Edward Guthridge, U.S. Attorney, Eastern District of Texas, to Benjamin Harris Brewster, Attorney General, July 24, 1883, Crouch Collection – Victoria.

Although there are a few exceptions, most notably Paul A. Cimbala, most historians agree that the organization was active in politics. The question, however, is to what extent. Were Freedmen's Bureau agents tools of the Republican party and did they use their positions for political aggrandizement? Many agents in the field in Texas, although refraining from openly campaigning for the Republican ticket, influenced the freedmen's vote and worked hard to ensure victory for the Republican party. Alfred T. Manning joined a local patriotic club. Charles E. Culver and George T. Ruby organized Union Leagues, which were patriotic clubs in the North during the war, but became Radical Republican organizations to "evangelize" and mobilize the newly enfranchised black men throughout the former slaveholding South during Reconstruction. Ruby even became the Galveston club's president in 1868.<sup>24</sup>

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<sup>24</sup> Cimbala, *Under the Guardianship of the Nation*, 67, 220; Alfred T. Manning to Charles A. Vernou, A.A.A.G., June 26, 1868, AC, Letters Received, 1867-1869, reel 13; Smallwood, "Charles E. Culver, A Reconstruction Agent in Texas," 358; Carl Moneyhon, "George T. Ruby and the Politics of Expediency in Texas," in Howard N. Rabinowitz, ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982), 368; Michael W. Fitzgerald, *The Union League Movement in the Deep South: Politics and Agricultural Change During Reconstruction* (Baton Rouge: Louisiana State University Press, 1989), 2. For works that find Bureau political activity, but are less certain about its extent, see Lee W. Formwalt, "The Origins of African-American Politics in Southwest Georgia: A Case Study of Black Political Organization During Presidential Reconstruction, 1865-1867," *Journal of Negro History* 77 (Autumn 1992): 211-222; Weymouth T. Jordan, "The Freedmen's Bureau in Tennessee," *East Tennessee Historical Society's Publications* 11 (1939): 58; Engelsman, "Freedmen's Bureau in Louisiana," 163; Carpenter, *Sword and Olive Branch*, 143-144; Abbott, *Freedmen's Bureau in South Carolina*, 29-36; May, "Freedmen's Bureau at the Local Level," 17; Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861-1877* (Chapel Hill: University of North Carolina Press, 1965), 364-365. For works that conclude the Freedmen's Bureau was definitely a partisan political organization, see Weinfeld, "More Courage Than Discretion," 491-492; White, *Freedmen's Bureau in Louisiana*, 27-30; Randolph B. Campbell, "The Burden of Local Black Leadership During Reconstruction: A Research Note," *Civil War History* 39 (June 1993): 148-153; Bentley, *History of the Freedmen's Bureau*, 195, 214; George R. Bentley, "The Political Activity of the Freedmen's Bureau in Georgia," *Florida Historical Quarterly* 28 (July 1948): 28-37; White, *Freedmen's Bureau in Louisiana*, 39; Staples, *Reconstruction in Arkansas*, 216; James G. Randall and David Donald, *The Civil War and Reconstruction* (Boston: D. C. Heath and Company, 1961), 576-577; Charles Hubert Coleman, *Election of 1868: The Democratic Effort to Regain Control* (New York: Columbia University Press, 1933), 369-370; W. C. Nunn, *Texas Under the Carpetbaggers* (Austin: University of Texas Press, 1962), 246; Coulter, *South During Reconstruction*, 87, 90; Claude Oubre, *Forty Acres and a Mule* (Baton Rouge: Louisiana State University Press, 1978), 192; Paul Skeels Pierce, *The Freedmen's Bureau, A Chapter in the History of Reconstruction* (Iowa City: University of Iowa, 1904), 168; Philips, "Freedmen's Bureau in Tennessee," 337; James A. Baggett, "Birth of the Texas Republican Party," *Southwestern Historical Quarterly* 78 (July 1974-April 1975): 1-20; James A. Baggett, "Origins of Early Texas Republican Party Leadership," *Journal of Southern History* 40 (August 1974): 441-454; Richard G. Lowe, "The Freedmen's Bureau and Local Black Leadership," *Journal of American History* 80 (December 1993): 989-998; Lowe, "Freedmen's Bureau and Local White Leaders in Virginia," 455-472; Muggleston, ed., "The Freedmen's Bureau and Reconstruction in Virginia," 47; and Thompson, *Reconstruction in Georgia*, 53.

In Livingston, Mortimer H. Goddin recommended that the iron-clad oath be applied to those currently serving as state legislators or all that the organization had accomplished would be lost. “[I]t is a mistaken idea that those only who held office under the Reb Govt are Rebs,” he told superiors. “They are no worse than those who did not hold office.” He also worried about the freedpeople “being brought under the influence of tricksters in the approaching registration & election.” Goddin informed those at headquarters he had a “notion to take the stump and talk to them.” Mathew Young squelched a Democratic meeting at Belton in the name of order. “[I] notice that you propose having a political meeting open to free discussion,” he reported to the men who had organized the meeting, “I hereby order that no such meeting shall be held as I consider it detrimental to the peaceness [sic] and quietness of the Government and this County in particular. Men who are not Citizens of the US have no right to express their views in public . . . to the government and those that are Citizens are duty bound by their oath not to [allow] language incendiary to the acts of Congress or the Government of the United States [and] any violation of the above will be severely dealt with by this office.” Edwin Finch suspected local officials in Ellis County of hostility toward the Freedmen’s Bureau. Although he admitted they had not yet been a “formidable obstruction or serious hindrance” to him, Finch stated that their “envious muttering & deep wrangling of Rebel Hate render them quite obnoxious.” He recommended that the county’s civil offices be filled by loyal men. Alex Ferguson hoped for a Republican-controlled county. He notified his superiors that San Augustine County freedmen and white Unionists would vote Republican in the upcoming presidential election in 1868.<sup>25</sup>

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<sup>25</sup> Mortimer H. Goddin, Livingston, to J. T. Kirkman, A.A.A.G., May 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Mathew Young, Belton, to Dr. Powell, et. al., September 9, 1867, SAC, Letters Sent, July-December 1867, reel 13; Edwin Finch, Milford, to J. T. Kirkman, A.A.A.G., September 2, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Alex Ferguson, Nacogdoches, to C. S. Roberts, A.A.A.G., October, 4, 1868, AC, August-October, 1868, reel 27.

“I shall go tomorrow to Sabine County,” reported agent and Union League member Albert A. Metzner, “in order to secure the vote of the colored for Mr. [William] Philips [Radical Republican in the county]. All the most influential colored men of Sabine Co. have already received instructions to that effect and I am confident that he will be elected.” Word spread in Cotton Gin that the Bureau man was to give a speech about politics. Both blacks and whites turned out, each for different reasons. Dismayed at the crowd of whites, Charles E. Culver gave a speech filled with platitudes about free labor and fair play. But he admitted there were hidden messages in his words. Not wanting the freedmen to be duped by white men claiming to be Yankees or Bureau men, Culver told them to ignore any men until they received a “sign” from him. His sign would be given out tomorrow, he informed superiors, and “I will defy any one to get it, or make [the freed community] vote [for them] without getting the sign.” He gleefully admitted, “The best of the joke is I done it right under the noses of those who came to see what was said & done. As it is [the whites in attendance] went away fully satisfied that ‘the Bureau’ took no interest in politics.” At Marlin Falls, F. B. Sturgis wrote that freedmen came in for “advice.” The freedmen had been confronted by some planters to vote for “the south.” “I told them,” Sturgis wrote, “they must vote with the party that shed their blood and spent their money in giving them liberty.” Sturgis felt the need to remind them that if they “voted with the south,” they would be “legislatured [sic] back into slavery.”<sup>26</sup>

To defeat such a plan, they courted the freedmen. Whenever agents in the field discovered Democrats campaigning to win the freed community to their side, they often intervened or reported it to superiors. SACs either lectured the freedmen about who their friends

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<sup>26</sup> Albert A. Metzner, San Augustine, to James C. Devine, Galveston, August 14, 1867, AC, Letters Received, 1866-1867, reel 7; Charles E. Culver, Cotton Gin, to [J. T.], Kirkman, A.A.A.G., July 5, 1867, AC, Letters Received, 1866-1867, reel 4; F. B. Sturgis, Marlin Falls, to J. T. Kirkman, A.A.A.G., July 16, 1867, AC, Letters Received, 1866-1867, reel 8.

were or about “responsible” voting, or they informed officials at headquarters in Galveston about the attempts by the opposition party to sway the freedmen’s vote. Planters in Sterling worried about being disfranchised by the Radical Republicans. “They propose to get enough Union men,” Joshua L. Randall wrote, “to offset the Radicals.” Randall, fearful that the freedmen might be swayed by the Democrats, investigated the situation and reported to Bureau headquarters not to worry. “I find the Freedmen possess more intelligence than they are credited for having,” he wrote. “The very fact that Planters want them to vote one way, they say is a sufficient reason why they should not vote that way.” The black community, the Bureau man assured officials, “will vote as the Bureau Agent instructs [because they] believe in him [and] know what he is sent among them for and will obey him in every respect.” In fact, Randall was so confident that the freedpeople would vote Republican that he ran as a delegate to the state’s Republican convention in Austin after his tenure.<sup>27</sup>

At Waco, Charles Haughn reported that the “feeling has been very bitter though the hatred seems to have abated as the [freedmen] seem to have become reconciled to join the Democratic party.” Griffin quickly passed this onto Howard in Washington. The agent at Lockhart notified Bureau officials in Galveston about a similar situation in Lockhart. “The disposition of the white people towards the freed people is not so bad as heretofore,” wrote Thomas H. Baker. “The Rebels have come to the conclusion that their only alternative to get into power again is to influence the colored [sic] vote.” Charles Schmidt wrote that whites were “forming democratic clubs among the freedmen.” Although worried about this, Schmidt was a little hesitant to intervene too forcefully because the Democrats’ attempts to win favor with the freedmen had “produced a better feeling between the races, as the whites are trying to induce the

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<sup>27</sup> Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., April 30, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.



freemen to believe them their friends.” In his monthly reports, John Dix often reported that the “disposition of the Rebels, Copperheads, and Democrats appear to be to induce the Negroes to vote for them, and then Disfranchise them, if by the aid of their vote, they can get into power.” During the 1868 presidential canvass, F. P. Wood informed not only officials at headquarters in Galveston, but also Commissioner Howard that some whites allowed freedmen to join Democratic clubs. In short, subassistant commissioners in Texas never willingly did anything to help Democrats and rarely countenanced any attempts by the “opposition”,<sup>28</sup>

These attitudes from field personnel were encouraged and accepted by Bureau officials in Galveston. In fact, arguably the most important Bureau man in Texas openly admitted the organization’s active role in politics and partisanship. William H. Sinclair, on one of his many inspection tours in April 1867, commented on the influence and power SACs had with freedmen voters and recommended ways to use this influence to help the Republican party. After inspecting Fred W. Reinhard and James C. Devine, the agents at Leon and Walker Counties respectively, Sinclair commented on the superior ability of these two men, especially Reinhard, who Sinclair called “one of the best agents we have.” Part of this superior ability was the influence these two agents had with the freedmen. These two, according to Sinclair, “can control nearly all the freedpeople in their counties when any move is made towards reorganizing the state.” He continued:

I respectfully suggest that it will be well to change as few agents as possible from this time until the vote shall be taken for an adoption of the Sherman bill [Reconstruction Act

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<sup>28</sup> Charles Haughn, Waco, to C. S. Roberts, A.A.A.G., September 5, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Thomas H. Baker, Lockhart, to Charles S. Morse, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Charles Schmidt, Sumpter, to Charles A. Vernou, A.A.A.G., September 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Joshua L. Randall, Sterling, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Carpenter, *Sword and Olive Branch*, 143-144.

of 1867] for they can control more of the freedpeoples [sic] votes than any other class of persons. A word from the 'Bureau' or a ticket from him will be received with the most confidence and they will act as he suggests before that of any one else. Agents throughout the state understand the influence they will have in the coming reorganization and intend to use it, but where there are no agents the planters will generally control the votes of their laborers. Old long established agents can do much more than those newly appointed and who have not secured the confidence of the freedpeople. The state is so large and agents so scarce that it will be difficult to control a majority of the freedpeoples [sic] votes without the influence of agents in the localities where they are stationed but they need no instructions in regard to this matter. I mean that it will take the influence of agents in localities where they are stationed to control [and] influence the votes of the freedpeople in such a way as to give a majority against the side that will be most popular with the white population, which will be the secession side.<sup>29</sup>

From George T. Ruby's encouragement of clubs to aid the "Party of Lincoln" to Mathew Young's prevention of Democratic speeches, from William H. Sinclair's recommendations to influence the freedmen's vote to Alex Ferguson's investigation of a Democratic candidate rumored to have bought the votes of freedmen, Bureau agents winked at the idea of being politically neutral. Considering the work these men did – to better the general condition of the former slaves – it was simply impossible for them to be anything but partisan and politically involved. Fearing white violence, Bureau officials wanted subordinates to refrain from being too partisan publicly. Agents in the field, however, understood a strong Republican party in Texas would not only aid them in their present task, but they also understood that a viable Republican party in the state would ensure protection for the freedpeople. If the state's civil offices "were in the hands of original Union men," wrote Anthony M. Bryant in Sherman, "the country would be redeemed in a very short time." Philip Howard went so far as to state that "the Bureau might be done away with if we had loyal men in our county offices. But so long as a Rebel is in office . . . the Freedmen require protection."<sup>30</sup>

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<sup>29</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., April 1, 1867, AC, Letters Received, 1866-1867, reel 8.

<sup>30</sup> Anthony M. Bryant, Sherman, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Philip Howard, Meridian, to Charles Garretson,

All agents in Texas had to do was think about the source of many of their problems to secure the rights of the freed community. The simple answer for many of them was the “Rebel community,” the very community that had made war against the United States, that defended and practiced slavery, and that resisted SACs at every turn. Bureau agents associated that community (uncooperative planters, Rebels, Conservatives, and most other white Texas) with the Democratic party. Thus, they resisted it and worked for its defeat. Whether protecting a laborer from being cheated or ensuring a freedwoman’s right to her children, a subassistant commissioner’s work, at its foundation, was political, since it benefitted the freedmen and helped to define them as new citizens. And anything that benefitted the freedmen, in turn, aided the Republican cause.

One of the political responsibilities of Bureau men was to recommend which civil officials should be dismissed. Dismissal from office, however, was a double-edged sword. Ever suspicious of civilian SACs, Griffin believed some of these men were not far removed from the state’s Democratic officeholders. Griffin preferred to fill his organization with military officers, but this was not always possible. As a result, his desires had to give way to reality. In fact, nearly one-half of the agents during Griffin’s administration were civilians, despite greater “militarization” of the Bureau. Since the agency needed civilian agents, Griffin wanted to ensure their commitment to the freedmen and loyalty to the country. All personnel who did not meet expectations – need for manpower or not – were dismissed. To ensure propriety, Griffin instituted a vast network of surveillance, hoping to improve the organization by removing troublesome and ineffective agents. To aid Bureau officials in Galveston with the process,

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A.A.A.G., September 30, 1867, AC, Letters Received, 1866-1867, reel 6; Alex Ferguson, Nacogdoches, to J. P. Richardson, A.A.A.G., April 15, 1868, AC, Letters Received, 1867-1869, reel 11; Alex Ferguson, Nacogdoches, to J. P. Richardson, A.A.A.G., May 1, 1868, AC, Letters Received, 1867-1869, reel 11; John Hope Franklin, *Reconstruction: After the Civil War* (Chicago: University of Chicago, 1961), 86.

inspectors, traveling agents, subassistant commissioners, and, at times, even loyal citizens all provided information on those Bureau men neglecting their duties.

Part of what Griffin wanted to do with his greater inspection system was to discover which civilian agents had a Confederate past. Information surfaced that civilian agents Edwin Finch, James Burke, D. S. Hunsaker, A. P. Delano, H. S. Johnson, and a few others had supported the Stars and Bars. When the accusations were proven, most were dismissed because they could not take the iron-clad oath. For example, D. S. Hunsaker, a local doctor, was appointed as Bureau agent to his home county, Trinity. Loyal whites in the community, however, questioned his Unionism. They called him a “rabid secessionist” and revealed to Bureau officials that the doctor disliked President Abraham Lincoln. They also claimed that Hunsaker shot at an effigy of the president in 1861. A former slaveholder, Hunsaker, according to the accusations, showed his “extreme pro-slavery proclivities” by “idiotically [sic] and barbarously without provocation” beating his \$1,800 slave. He avoided Confederate service by hiring a substitute, whom he never paid. According to the accusers, Hunsaker moved to another county and eventually to Mexico, “not because he was principaled [sic] against secession . . . but because he was too big a coward and poltroon to stand up to the principals [sic] he had time and again avowed.” In addition to this, another accusation appeared in the local paper alleging “grossly improper conduct” as a SAC. Wanting to defend himself and believing Griffin would dismiss any accusations that appeared in a “Rebel” newspaper, Hunsaker sent copies of the paper to Bureau headquarters in Galveston. He misjudged Griffin, however. Despite a signed petition of 299 freedmen, who asked for Hunsaker to remain as their agent, Griffin summarily dismissed the doctor from office because he could not take the required oath.<sup>31</sup>

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<sup>31</sup> Joseph A. Wright to O. O. Howard, October 3, 1867, AC, Letters Received, 1867-1869, reel 16; Excerpt of *Crockett Sentinel*, October 24, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; J. H.

Edwin Finch, the agent at Milford, also had a past draped in the Star and Bars. From all accounts, Finch performed ably as SAC, but his undoing came when a registrar in his subdistrict discovered that he had taken an oath to the Confederacy and had been justice of the peace of Hill County. Many loyal citizens in the county implored Bureau officials to overlook Finch's past, but their pleas fell on deaf ears, for officials at headquarters dismissed Finch since he could not take the iron-clad oath. After his service with the Bureau, he received several appointments by the military as constable and county commissioner of Ellis County in late 1868 and 1869. The fact he could not take the oath while an agent in Griffin's administration but was appointed to civil offices under Griffin's successor shows how personalities affected Reconstruction and Bureau policy.<sup>32</sup>

James Burke, although "highly recommended as a Unionist," had his appointment, despite many appeals to Bureau officials and the governor about his loyalty to the U.S. government, revoked because he had sought and lost elective office in Texas during the war. Scalawag agent H. S. Johnson, appointed justice of the peace by A. J. Hamilton following the war, was asked to serve as Bureau agent. Griffin believed his legal background a plus for the position. The *Crockett Sentinel*, the same paper that published the charges against D. S. Hunsaker, again reported the misdoings of a SAC. The paper reported that Johnson, whom the

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Bradford, Centerville, to Charles Garretson, A.A.A.G., October 3, 1867, AC, Letters Received, 1867-1869, reel 12; Charles Griffin to O. O. Howard, August 17, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Special Orders No. 87, August 19, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; D. S. Hunsaker, Crockett, to Charles Garretson, A.A.A.G., October 3, 1867, AC, Letters Received, 1867-1869, reel 18; D. S. Hunsaker, Crockett, to AAAG, n.d., AC, Letters Received, 1867-1869, reel 18; Special Orders No. 90, September 28, 1867, AC, Issuances of Rosters and Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>32</sup> John H. Lippard to Charles Griffin, August 31, 1867, AC, Letters Received, 1867-1869, reel 13; Alvin Wright to Charles Garretson, A.A.A.G., October 18, 1867, AC, Letters Received, 1867-1869, reel 16; Edwin Finch, Milford, to Charles Garretson, A.A.A.G., October 9, 1867, AC, Letters Received, 1867-1869, reel 11; Edwin Finch, Milford, to Charles Garretson, A.A.A.G., October 22, 1867, AC, Letters Received, 1867-1869, reel 11; Charles Garretson, A.A.A.G., to Edwin Finch, Milford, October 19, 1867, AC, Letters Sent, March 1867-May 1869, reel 2; Special Orders No. 90, September 28, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Election Registers, pp. 262, 264.

paper referred to as “squire,” managed to avoid Confederate service by practicing medicine among the soldiers’ families. The paper claimed he had participated in “hunting up deserters which the citizens say he enjoyed very much.” Many loyal white citizens attested to the veracity of this story, claiming Johnson had acted as “a sworn enemy to the [loyal] whites and a practical enemy to the freedmen.” The post commander and agent at Centreville, J. H. Bradford, heard the same accusations and stated to superiors that there were too many rumors in Johnson’s past for them not to have some credibility. Moreover, he suspected Johnson was stealing money. Bureau officials sent William H. Sinclair to investigate this apparent “rascality.” His investigation confirmed what many had suspected. But before Johnson could be dismissed, he fled the area. Although the Bureau ordered his arrest, Johnson remained free. He returned to the county after the Bureau ceased operations and was living there in 1870.<sup>33</sup>

But a single standard did not apply to everyone. Depending on the agent and how he was perceived by those at headquarters, certain indiscretions in the past could be overlooked. John Dix and Anthony M. Bryant, for examples, were both scalawag agents appointed by Griffin. Many white loyalists attested to Dix’s Unionist credentials. But the former Rebel community had no such love for him. In a letter to Griffin, they expressed their anger with the Bureau men,

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<sup>33</sup> J. J. Reynolds to O. O. Howard, June 2, 1868, AC, Letters Sent, March 1867-May 1869, reel 2; Excerpt of *Crockett Sentinel*, October 23, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., December 13, 1867, AC, Letters Received, 1867-1869, reel 15; James Burke to [E. M.] Pease, May 29, 1868, Incoming Correspondence, Governor Elisha M. Pease Records (RG 301), Archives Division – Texas State Library, Austin, Texas (hereafter cited as Governor Correspondences); James Burke to E. M. Pease, June 1, 1868, Pease Governor Correspondences; J. T. Kirkman, A.A.A.G., to H. S. Johnson, February 12, 1867, AC, Letters Sent, September 1865-March 1867, reel 2; J. T. Kirkman, A.A.A.G., to H. S. Johnson, March 26, 1867, AC, Letters Sent, September 1865-March 1867, reel 2; J. H. Bradford, Centerville, to J. P. Richardson, A.A.A.G., November 2, 1867, AC, Letters Received, 1867-1869, reel 10; O. A. McGinnis, November 15, 1867, AC, Letters Received, 1867-1869, reel 13; J. H. Bradford, Centreville, to J. P. Richardson, A.A.A.G., November 8, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; J. P. Richardson, A.A.A.G., to S. F. Robb, December 10, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Telegram from William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., December 7, 1867, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to [Post Commander], Sumpter, December 7, 1867, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., January 10, 1868, AC, Letters Received, 1867-1869, reel 15; Special Orders No. 3, January 11, 1869, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

accusing him of oppression and illegal acts. They also reported that Dix “gave substantial aid and comfort to the enemies of the Union – that [he] took the oath of allegiance to the confederate states.” They further claimed he outfitted and armed Confederate gunboats and oversaw the emplacement of obstacles in the harbor to prevent the anticipated Union invasion of Texas. Such charges resulted in the dismissal of other SACs in the past, but not Dix, for he had power and influence on his side. In addition to the endorsement of the leading Radical Republican in the state, E. J. Davis, Dix had the confidence of the leading military officer in the state, Griffin, who believed the agent’s patriotism and loyalty unquestioned, considering the oppression he experienced from Confederates during the war. Griffin appeared to have dismissed the accusations, since no further mention of the charges exist in the records.<sup>34</sup>

Anthony M. Bryant, a long time resident of Texas, wealthy farmer, former slaveholder, and county judge during A. J. Hamilton’s administration, was appointed SAC at Sherman, Texas, in March 1867. Information, however, arrived at Bureau headquarters that Bryant had run for a position, as a Unionist candidate, in the Rebel government in late 1861. Although Bryant lost to his Rebel opponent, there was some doubt if he could take the iron-clad oath. “I can take any other part of the oath,” he stated. “I can swear that I did not run for the office to aid the Rebellion but to the very reverse.” Because the oath also disqualified those who “sought” political office in the Confederacy, Bryant’s appointment was in jeopardy. Griffin intervened and retained Bryant as an agent. “[I]t is thought you can take the oath,” Bureau officials informed the SAC, “as you sought office not to *aid* but *resist* the rebellion. . . .” By the end of the year, after a commendable tenure as subassistant commissioner, Bryant left Bureau service

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<sup>34</sup> R. J. Denny, et al., to Charles Griffin, June 5, 1867, AC, Letters Received, 1866-1867, reel 5.

for political office.<sup>35</sup>

In April 1867 Assistant Commissioner Griffin followed his orders on registration with what one historian called “the most celebrated act of military interference with civil courts during Reconstruction.” Griffin designed Circular Orders No. 13 to bring about fairness and justice in the courtroom and based it on the Civil Rights Act of 1866, which defined the former slaves as citizens. Griffin claimed that the order was intended “solely to protect loyal residents in their lives and property.” The order precluded those disqualified by the “ironclad oath” from serving on juries and required all prospective jurors to take the oath. Required of all Federal employees since 1862, the oath disqualified any person who voluntarily gave “aid, countenance, counsel or encouragement to persons engaged in armed hostilities” against the United States. Under the Reconstruction Act of 1867, General Orders No. 26, which required the military to transfer all citizens they arrested to the civil authorities for trial if the civil tribunals were up and functioning, was now null and void. Griffin now had the option to try individuals by civil courts or military commissions. Freedmen’s Bureau officials preferred to work through the civil courts and to use military courts only when local officials refused to act. Military and Bureau officers hoped the threat of military courts would prompt civil authorities to act fairly. In conjunction with the threat of military justice, Circular Orders No. 13 allowed an influx of freedmen to the jury box, which would help to ensure justice and possibly remedy the problem of partial and uncooperative state courts.<sup>36</sup>

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<sup>35</sup> Anthony M. Bryant, Sherman, to [Charles Griffin], June 5, 1867, AC, Letters Received, 1866-1867, reel 4; J. P. Richardson, A.A.A.G., to Anthony M. Bryant, Sherman, June 14, 1867, AC, Letters Sent, April 1866-September 1867, reel 2; Special Orders No. 35, March 25, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Election Registers, pp. 45, 264; Special Orders No. 96, October 31, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>36</sup> Richter, *Overreached on All Sides*, 203; Charles Griffin to Philip H. Sheridan, Commander, Fifth Military District, May 29, 1867, Papers of Philip H. Sheridan, Library of Congress, Washington, D.C., reel 3 (hereafter cited as Philip H. Sheridan papers); Harold Hyman, *Era of the Oath: Northern Loyalty Tests During the*



From the moment Griffin issued his order, there was confusion about it. “Much confusion seems to exist on the part of the order 13,” stated Mortimer H. Goddin. He would not mind “if the court [was] broken up [for] it would work less mischief.” Despite some confusion, the men in the field agreed with the measure and believed it a step in the right direction to ease their job and to protect the freedmen and white Unionists. Byron Porter stated in early February 1867 that the freedmen had more to fear from Rebel juries than Rebel magistrates. This order, according to him, went a long way toward ensuring justice. “In my judgment,” stated Porter, “it can be reasonably expected that with the juries now summoned, crime will not go as heretofore unpunished and all classes may hope for justice irrespective of color or previous condition.” But what appeared a checkmate to some Bureau personnel was anything but that for local magistrates as they found ways to circumvent the order and impede justice. With so many white men disqualified from jury service, many civil officials claimed that court proceedings would have to be suspended, or worse, the courts would have to operate with many illiterate freedmen as jurors. Planters feared that it would cause numerous unnecessary complaints by freedmen and allow them to evade their responsibilities through a stacked jury. Some judges and white citizens filed grievances with Bureau and military officers stating why they thought the order was wrong. A few even claimed that the order would close down all the state’s courts. They also wrote many letters to President Andrew Johnson and Governor J. W. Throckmorton to complain that the order intruded on the court, that it was misguided, and that it made a mockery of the state’s judicial proceedings. According to one lawyer, Griffin’s actions were nothing less than despotic. “[I] cannot fail to detect the helpless wretched condition of a people denied the protection of

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*Civil War and Reconstruction* (Philadelphia: University of Pennsylvania Press, 1954), 158; John Pressley Carrier, “A Political History of Texas During the Reconstruction, 1865-1874” (Ph. D. diss., Vanderbilt University Press, 1971), 159.

courts of law,” he wrote to the president, “their lives, families, and property controlled by the caprice of a single man.”<sup>37</sup>

Most often, however, complaints came from field agents about local magistrates’ conscious efforts to evade the order. In July 1867, one month after telling superiors troops were unnecessary in his district, A. H. Mayer requested their presence. According to Mayer, he did not need them to quell white violence, but to force judicial officials in Liberty to abide by the order. Charles E. Culver experienced the same difficulty with local officials in Cotton Gin. “I find that they did not even make as much as an inquiry as to whether there were or were not men in the County [who] could take the prescribed Oath,” reported Culver from Cotton Gin. “They *won’t* have Negroes & they *just as leave* [than] have a Negro as a man that *can* take the Oath ‘i.e.’ *they don’t want & won’t have either.*” To counter local officials’ moves, Culver issued an order that released all prisoners who had been held for more than three months in confinement or those who had bonds of less than five hundred dollars. James P. Butler called to the attention of superiors that Huntsville officials were impaneling only “*respectable rebel white men,*” some of which recently committed outrages against freedpeople. In Tyler, Gregory Barrett informed superiors about a case of a court clerk repeatedly resisting Gregory’s attempts to get a jury impaneled with freedmen. J. U. Wright, the court clerk, “swore publicly that before he would

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<sup>37</sup> Mortimer H. Goddin, Livingston, to [Charles Griffin], May 13, 1867, AC, Letters Received, 1866-1867, reel 5; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., June 3, 1867, SAC, Letters Sent, February 1867-February 1868, reel 13; M. S. Hunson to Andrew Johnson, April 30, 1867, Andrew Johnson Papers, National Archives and Records Administration, Washington, D.C., Series 1, reel 27 (hereafter cited as Andrew Johnson papers); Byron Porter, Austin, to J. T. Kirkman, A.A.A.G., February 8, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Charles Griffin to Brig. Gen. James W. Forsythe, June 10, 1867, Philip H. Sheridan papers, reel 3; Philip H. Sheridan, Commander, Fifth Military District, to Ulysses S. Grant, General of the Army of the U.S., May 22, 1867, Papers of Ulysses S. Grant, Library of Congress, Washington, D.C., reel 24; John E. George to [Charles] Griffin, May 8, 1867, AC, Letters Received, 1866-1867, reel 5; Thomas Affleck to [Charles] Griffin, August 26, 1867, AC, Letters Received, 1866-1867, reel 4; A. H. Shanks to Andrew Johnson, May 8, 1867, Andrew Johnson Papers, Series 1, reel 27; J. W. Throckmorton to Andrew Johnson, May 20, 1867, Andrew Johnson papers, Series 1, reel 27; *Brownsville Daily Ranchero*, May 11, 1867; Richter, *Army in Texas During Reconstruction*, 100-101; *Houston Telegraph*, April 30 and May 1, 1867.

swear a ‘nigger’ as a jurymen he would leave the Court.” He also warned Barrett that if he continued to insist on freedmen as jurors he would get “his head shot off.” Barrett desired to grant the incorrigible clerk’s wish “to leave the court” and recommended that J. K. P. Shelton be appointed in his place, which he was not. Even Byron Porter, who seemed so optimistic about the prospects of the order in June, reported a month later that Judge John Ireland, a staunch Democrat, had blatantly violated the order, “preferring no doubt . . . a white man.” David L. Montgomery wrote about one judge who claimed that no men were able to take the oath. Montgomery, however, knew hundreds of loyal men who could take the oath and lived in the county. Albert Evans at Liberty had to combat local officials using “every subterfuge” to get around the order. Evans noted that local officials were “much exercised” about the order.<sup>38</sup>

Field agents could recommend the removal from office of those civil officials who tried to evade the order. They could also punish civil authorities with fines. In early July, for example, H. S. Johnson admitted that the good conditions in Sumpter, Trinity County, were “entirely owing to the operations of this office, Genl. Orders No 13 and the approaching registration.” But soon after making that statement, county judge B. F. Harper purposely allowed men disqualified by the order to sit as jurors. Since “no freedmen were in the least interested directly or indirectly,” the judge claimed, he believed the order would not be insisted upon by Bureau officials “unless Freedmen were concerned.” One attorney, admitting the judge

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<sup>38</sup> Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., September 4, 1867, AC, Letters Received, 1867-1869, reel 10; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., AC, Letters Received, 1867-1869, reel 10; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., July 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Gregory Barrett, Tyler, to [Charles] A. Vernou, A.A.A.G., June 6, 1868, AC, Letters Received, 1867-1869, reel 10; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., July 5, 1867, SAC, Letters Sent, February 1867-February 1868, reel 13; A. H. Mayer, Liberty, to Charles Griffin, June 29, 1867, AC, Letters Received, 1866-1867, reel 7; Albert Evans, Kaufman, to J. T. Kirkman, A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; W. D. Ector to J. W. Throckmorton, May 10, 1867, Throckmorton Governor Correspondences; John J. Good to [J. W. Throckmorton], May 21, 1867, Throckmorton Governor Correspondences; John J. Good to J. W. Throckmorton, May 14, 1867, Throckmorton Governor Correspondences; Campbell, *Grass-Roots Reconstruction*, 73; David L. Montgomery, Tyler, to Lt. A. H. M. Taylor, A.A.A.G., District of Texas, May 31, 1867, SAC, Letters Sent, March 1867-December 1868, reel 26.

violated the order, nevertheless, argued against the judge's removal, claiming that he was still the most qualified man for the position. In defense of the judge, the lawyer reminded military officials that Harper "is discharging the duties as faithfully and as efficiently as any one could do under the Circumstances." H. S. Johnson, not believing this for one moment, thought Harper had willfully violated the order and fined him five hundred dollars.<sup>39</sup>

Not all field agents expressed complete happiness with Griffin's new course. In fact, some of the orders from officials at headquarters, particularly those that transferred much responsibility to local officials, worried a few agents in the field. John H. Morrison suggested that everything "pertaining to Freedmen ought to be entirely in the jurisdiction of the Bureau." He further admitted that with Griffin's orders, "I have to be . . . leniant [sic] on Rebellious people . . . [T]wo or three come to my office and rase [sic] a row at a time and the crowd refuses to obey any summons of officers to qell [sic] disturbances." J. P. Richardson worried that civil authorities would also shirk their responsibilities. James Oakes notified superiors that civil officials in the state capital "have generally manifested a disposition to do justice to the freedperson in all cases that have been referred to them by this office." Oakes, although pleased by the effects of Griffin's orders, nonetheless worried that the white community would believe "the Bureau has no authority except through the civil courts." Oakes was not alone in his opinion. Walter B. Pease at Houston informed superiors of his "greater difficulty in settling . . . claims" against planters for wages due. He wrote that many "Planters seem to think that the *power of the Bureau is gone, and have openly defied its agents.*" S. C. Plummer complained

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<sup>39</sup> O. A. McGinnis to Charles Garretson, A.A.A.G., October 17, 1867, AC, Letters Received, 1867-1869, reel 13; Case of Military Authorities vs. B. F. Harper, [November 1867], AC, Letters Received, 1867-1869, reel 13; H. S. Johnson, Sumpter, to B. F. Harper, November 5, 1867, AC, Letters Received, 1867-1869, reel 13; H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., November 11, 1867, AC, Letters Received, 1867-1869, reel 13; H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21.

about local officials in Lockhart who released on technicalities defendants accused of crimes against freedmen and white Unionists.<sup>40</sup>

Many northerners also expressed concern about Griffin's change in policy, including Commissioner Howard. The commissioner wrote Griffin and wanted to know what "occasioned" his current course. Howard had read criticism in northern newspapers about the assistant commissioner's new policies, and he wanted to know exactly what his subordinate was doing in Texas. Griffin wrote several letters to Howard to explain his reasoning. He informed Howard that, although the legal system and laws in Texas were not impartial toward the freedmen, in many instances the problems between the Freedmen's Bureau and civil authorities stemmed from Kiddoo's policies, which gave Bureau agents "almost unlimited judicial powers" and contributed to the situation in which SACs were "constantly coming in collision with the civil authorities." Troops would secure justice for the freedmen, wrote Griffin, but "my force is not large enough to spread over the state, and by overawing the people, compel the enforcement of the laws." Thus, Griffin believed it necessary to delegate responsibility to the state's authorities in order to reduce "collisions" and make the Freedmen's Bureau more efficient. In the end, Griffin informed Howard that "I merely lessened the power of the Sub Asst Comrs [to protect] the freedmen in the most effective manner in my power." Howard dropped the matter, fully confident that Griffin knew what he was doing.<sup>41</sup>

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<sup>40</sup> John M. Morrison, Palestine, to J. P. Richardson, A.A.A.G., February 29, 1868, AC, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; John H. Morrison, Palestine, to J. P. Richardson, A.A.A.G., March 31, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; James Oakes, Austin, to J. T. Kirkman, A.A.A.G., SAC, June 30, 1867, Letters Sent, May 1867-December 1868, reel 12; Walter B. Pease, Houston, to J. T. Kirkman, A.A.A.G., March 6, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; J. P. Richardson, ASAC, Austin, to James Oakes, Austin, September 26, 1867, SAC, Letters Sent, May 1867-December 1868, reel 12; S. C. Plummer, Lockhart, to C. C. McGinnis, May 12, 1867, SAC, Letters Sent, August-November 1868, reel 24.

<sup>41</sup> O. O. Howard to Charles Griffin, February 9, 1867, AC, Letters Received, 1866-1867, reel 6; Charles Griffin to O. O. Howard, February 18, 1867, M752C, Letters Received, January-May, 1867, reel 44; Charles Griffin to O. O. Howard, February 12, 1867, AC, Letters Sent, September 1865-March 1867, reel 1.

Many Bureau men had difficulties with local officials. They attributed this partly to ignorance and confusion with the orders from headquarters in Galveston. Local officials believed that Griffin's orders transferred *all* responsibility to them, thus abrogating the power of the Freedmen's Bureau. James C. Devine at Huntsville, who a month earlier noted a better disposition by whites, had problems with local courts illegally apprenticing freed children. He informed a justice of the peace that he could bind-out children only "under cover of vagrant laws and even then the stretch of authority is so great that an investigation by your superiors would pronounce your conduct not only false in the eyes of the laws, but reprehensible in morals." Devine reminded the magistrate that no order from headquarters in Galveston stripped "the agent of the Bureau of all powers" but simply redefined them "to be supervisory, except when flagrant cases of injustice occur when it becomes his duty to act." Things got so bad in Sherman, Grayson County, that Griffin suspended his General Orders No. 5 (the order that transferred responsibility to local officials) in that county, "because of murder and outrages" and the "unwillingness of civil authorities to do anything." The assistant commissioner authorized his subordinate in Sherman to arrest all parties "who may have been or may hereafter be charged with the commission of crimes and offenses against citizens . . . where civil authorities may fail, neglect or are unable to arrest and bring such parties to trial." The Sherman agent was to give this order to the post commander, who would assist him to carry out its provisions.<sup>42</sup>

In the meantime, other men in the field had few complaints with Griffin's orders. In fact, according to these men, the orders, along with the Reconstruction Act of 1867, greatly reduced their problems with local officials in their subdistricts and had a beneficial effect. Commissioner

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<sup>42</sup> James C. Devine, Huntsville, to James Hentiss, March 6, 1867, SAC, Press Copies of Letters Sent, January 1867-March 1868, reel 22; James C. Devine, Huntsville, to J. T. Kirkman, A.A.A.G., February 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Special Orders No. 30, March 6, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

Howard even testified before Congress that much of the violence had been checked. Enon M. Harris wrote that conditions between the races in Columbus “are good [and] very few disturbances have occurred during the month.” Later that summer, Harris again reported no serious outrages had come to his attention, only a few “trifling civil cases.” He attributed the better situation to the “fear of *removal*.” which had “stricken almost *all* officials.” In June 1867 Patrick F. Duggan told superiors about conditions in Columbia. “The majority of the white people in this SubDistrict are acting in a manner to gain the confidence and good will of the freedpeople,” he noted, “showing a disposition to have as few difficulties as possible, treating them in a manner best calculated to create a greater degree of harmony.” That same month, after seeing conditions in another county in his subdistrict, Duggan admitted the recent bill from Congress and the orders from Bureau officials in Galveston seemed “to have a soothing effect upon the most turbulent spirits.” William Garretson also had few problems with local officials in his district. In fact, he repeatedly mentioned that the local officials in Matagorda did their job. Anthony M. Bryant, whose predecessors had a difficult time in Sherman, believed Griffin’s orders and the Reconstruction Act of 1867 “had a very happy effect.” The whites, according to him, now profess to be the freedpeople’s best friend. He jokingly concluded that “I think it likely that they will [soon] claim to be the same family.” In Centreville, Fred W. Reinhard wrote about improved race relations. The Bureau man in the state capital was also amused at the way local officials now showed an amazing “alacrity” to protect the freedmen.<sup>43</sup>

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<sup>43</sup> Enon M. Harris, Columbus, to J. T. Kirkman, A.A.A.G., May 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Enon M. Harris, Columbus, to J. T. Kirkman, A.A.A.G., August 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., June 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Anthony M. Bryant, Sherman, to [Headquarters], May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; James Oakes, Austin, to J. T. Kirkman, A.A.A.G., March 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Greg Cantrell, “Racial Violence and Reconstruction Politics in Texas, 1867-1868,” *Southwestern Historical Quarterly* 93 (January

Future Texas assistant commissioner J. J. Reynolds attributed the better relations between the freedmen and whites in Brownsville to the freedmen's "political strength" due to Griffin's orders and the "Registration act." In Woodville, P. B. Johnson wrote about a "revolution . . . among the portion that is disfranch'd." He admitted that "it cannot be said that their feeling of hatred and prejudice against the Gen's Gov't is less violent, yet they are not so free in their denunciations toward the Gov't, nor so threatening toward loyal citizens." Hamilton C. Peterson witnessed the same "transformation" with whites in Lockhart. In several reports to superiors, he wrote about the good relations between whites and the freedmen, even hinting that the troops in his district could be removed, but not until the crops have been gathered. What caused him to be less than certain about their removal was "I think that it would not be so good if the military was withdrawn. The people here care but little for civil law but dread the military." Charles F. Rand at Marshall applauded the new attitude from Bureau officials. The orders, Rand wrote, have produced a "good effect upon the community, for "they are beginning to believe there is a higher law than the state legislature."<sup>44</sup>

At Livingston, Mortimer H. Goddin noticed few instances of abuse against the freed community after passage of the Reconstruction Act of 1867. According to H. S. Johnson, judges

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1993): 344; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1876, reel 20; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Fred W. Reinhard, Centreville, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Bronson, "Freedmen's Bureau," 216.

<sup>44</sup> J. J. Reynolds, Brownsville, to J. T. Kirkman, A.A.A.G., September 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; Hamilton C. Peterson, Lockhart, to Charles Garretson, A.A.A.G., February 29, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Charles F. Rand, Marshall, to Henry A. Ellis, A.A.A.G., January 24, 1867, SAC, Letters Sent, December 1866-December 1868, reel 24; Hamilton C. Peterson, Lockhart, to Charles Garretson, A.A.A.G., AC, Reports of Operations and Conditions, September-October, reel 22; Hamilton C. Peterson, Lockhart, to J. P. Richardson, A.A.A.G., AC, November 30, 1867, AC, Reports of Operations and Conditions, November-December, reel 23; Hamilton C. Peterson, Lockhart, to C. S. Roberts, A.A.A.G., December 31, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23.



in Trinity County feared removal and administered their courts with “no manifestation of prejudice or partiality.” Edward Collins at Goliad wrote that the “white people of this county . . . were very bitter in their feelings towards the freedmen up to the time of the passage of the military Reconstruction Bill.” Collin’s successors at Goliad also noticed the same. Since the changed attitudes from Bureau headquarters and Congress, wrote P. E. Holcomb, the commander of the 35<sup>th</sup> U.S. Infantry Regiment, the whites “feel or expect to feel more kindly towards” the former slaves. He described an effort by the white community to treat the freedmen “fairly and justly.” Holcomb admitted that he labored under no difficulties at his post in Goliad. Furthermore, Holcomb believed if the troops were removed the population would be “perfectly safe in person and property.” A. G. Malloy’s predecessor at Marshall described less than tranquil conditions in February and March 1867. But by late May of the same year, Malloy reported rather calm conditions. “There seems to be a change for the better in the condition of the freedmen,” he wrote, “they are being treated more kindly, and as they present but few complaints at this office the supposition is that their employers are dealing justly with them.” Malloy placed his finger on the reason for the change in the white population: “This change is owing to late orders from Headquarters.”<sup>45</sup>

Throughout Texas, Bureau men reported race relations that ranged from “very bitter,” “indifferent,” and “apathetic” to “as good as could be expected,” “honest,” “well disposed,” and

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<sup>45</sup> Edward Collins, Goliad, to [J. T. Kirkman, A.A.A.G.], April 10, 1867, AC, Letters Received, 1866-1867, reel 4; H. S. Johnson, Sumpter, to J. B. Kiddoo, March 17, 1867, AC, Letters Received, 1866-1867, reel 6; P. E. Holcomb, Goliad, to [J. T. Kirkman, A.A.A.G.], April 10, 1867, AC, Letters Received, 1866-1867, reel 6; P. E. Holcomb, Goliad, to [J. T. Kirkman, A.A.A.G.], June 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Mortimer H. Goddin, Livingston, to [Charles Griffin], May 13, 1867, AC, Letters Received, 1866-1867, reel 5; H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., July 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; P. E. Holcomb, Goliad, to [J. T. Kirkman, A.A.A.G.], August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Charles F. Rand, Marshall, to J. T. Kirkman, A.A.A.G., March 4, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21.

“quiet,” if not completely “amicable.” In a few places, it was nothing short of “good.” It was so “good” in some places that agents in the field wrote that they did not need troops. Although Bureau agents stationed along the Mexican border and the Texas frontier reported that they did not need troops to protect the freedmen against white violence (mainly because there were so few freedmen in their subdistricts), more than a few SACs in the interior, especially those stationed in coastal counties, said the same. In all, seventeen counties were quiet enough that those stationed there reported no need for troops. Although certainty is difficult, primarily because so many things, such as the effect of the Reconstruction Act of 1867 to the white community’s need for labor to the ability of the SAC, influence the conditions, a generalization can be made. Of the seventeen counties, all but four were located near or on the coast (Upshur, Kaufman, Leon, and Bosque were exceptions). Thus, these counties generally had either higher percentages of freedmen or much lower percentages of freedmen compared to non-coastal counties and the state as a whole. For examples, in Wharton and Refugio Counties freedpeople represented 84 percent and 10 percent of the total population in these counties, respectively. In fact, nearly two-thirds of the counties had freedmen populations either below 30 percent or above 50 percent.<sup>46</sup>

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<sup>46</sup> Bureau agents on the frontier and Mexican border often described good relations between whites and the freedmen. Race relations were so good that a few agents even admitted there was no need for the Bureau along the border. This was partly because the whites needed the black population to help protect against Indians and partly because the few numbers of either whites or blacks to cause race problems (See Lewis G. Brown, Rio Grande City, to J. T. Kirkman, A.A.A.G., June 6, 1867, AC, Letters Received, 1866-1867, reel 4; Charles C. Cresson, San Antonio, to Charles A. Vernou, A.A.A.G., September 2, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; John W. Eckles, San Antonio, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; J. R. Fitch, San Antonio, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; P. E. Holcomb, Goliad, to [Headquarters], July 15, 1867, AC, Letters Received, 1866-1867, reel 6; Ranald S. Mackenzie, Brownsville, to J. P. Richardson, A.A.A.G., December 20, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; S. B. Hayman, Fort Griffin, to Charles A. Vernou, July 3, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Charles Steelhammer, Weatherford, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; A. M. Randol, Brownsville, to J. P. Richardson, A.A.A.G., January 7, 1868, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; A. M. D. McCook, Brownsville, to Charles A. Vernou, A.A.A.G.,

A former colored regiment officer and one of the most respected and longest tenured Bureau agents in Texas, William H. Rock, had no troops in his district. Throughout the spring and summer of 1867 and continuing into 1868, the Richmond Bureau man and native of Canada claimed their presence was unnecessary, since local officials cooperated with him. An Ohioan and officer in the 35<sup>th</sup> Infantry Regiment, J. R. Fitch, observed that white attitudes toward the freedpeople ranged from “indifferent” to “kindly disposed” and “friendly” in Refugio, a coastal county north of Corpus Christi. Although he encountered little difficulty during registration, Fitch believed the presence of troops was necessary as a show of force. With voter registration’s conclusion in the late summer of 1867, Fitch no longer thought a detachment of soldiers necessary in his district. “I do not think there would be any difficulty,” Finch wrote. In fact, he believed that the only thing the county needed to protect the freedmen was a good magistrate. Should Bureau officials appoint one, he suggested that the man “should also be the Sub Asst Comm.” and that “would be all that is necessary and be much more efficacious than a military comdr.” A. H. Mayer gleefully wrote that few whites in Liberty have “Slave on the brain.” As a result, Mayer did not need troops until perhaps when registration began.<sup>47</sup>

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August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; George C. Cram, Camp Verde, to J. P. Richardson, A.A.A.G., February 8, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; and P. E. Holcomb, Fort Mason, to J. P. Richardson, A.A.A.G., May 1, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25).

<sup>47</sup> J. R. Fitch, Refugio, to J. P. Richardson, A.A.A.G., January 31, 1867, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., May 1, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; William H. Rock, Richmond, to J. T. Kirkman, A.A.A.G., March 6, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; William H. Rock, Richmond, to Charles A. Vernou, A.A.A.G., July 15, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; William H. Rock, Richmond, to Charles A. Vernou, A.A.A.G., November 8, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; J. R. Fitch, Refugio, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; J. R. Fitch, Refugio, to Charles Garretson, A.A.A.G., October 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 1867, reel 22; J. R. Fitch, Refugio, to Charles Garretson, A.A.A.G., November 1, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; J. R. Fitch, Refugio, to J. P. Richardson, A.A.A.G., December 1, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., June 2, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

In the spring and summer of 1867 Hiram Clark, a carpetbagger from Illinois, had very little business and trouble in his subdistrict, which comprised the counties of DeWitt, Karnes, and Victoria. “I have no troops and think none are necessary,” he reported that July. “The people seem to realize the condition they are in and promptly comply with all requests and obey all orders.” This continued in his district throughout the rest of the year. In La Grange, Isaac Johnson, a native Pennsylvanian and late captain in the 114<sup>th</sup> U.S.C.T., had no troops at his post. Despite acknowledging a hostile disposition by the whites toward the freedpeople, which was in the form of words not actions, Johnson admitted that “I can get along without them until the settlement [time].” According to Johnson, the situation in his subdistrict was due to “the present system of procuring juries.” Edward Miller, an agent who impressed Bureau officials enough that after his muster out they reappointed him as a civilian agent, credited the calm situation in Bryan City, Brazos County, to the Reconstruction Act of 1867. The carpetbagger from New York and VRC officer believed “there is no necessity” for troops in Bryan City. This he often repeated in subsequent reports to superiors, stating that the civil authorities “are always willing to assist me in the execution of my duties.”<sup>48</sup>

In late summer of 1867 Charles F. Rand, the ASAC at Gilmer, Upshur County, admitted there was little to do at his post. In fact, he called it the “most quiet and orderly county in the

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<sup>48</sup> Hiram Clark, Clinton, to [J. T. Kirkman, A.A.A.G.], July 5, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; P. E. Holcomb, Goliad, to J. T. Kirkman, A.A.A.G., August 21, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Isaac Johnson, La Grange, to J. T. Kirkman, A.A.A.G., September 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Edward Miller, Millican, to J. T. Kirkman, A.A.A.G., March 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Edward Miller, Bryan City, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Hiram Clark, Clinton, to [J. T. Kirkman, A.A.A.G.], May 28, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Hiram Clark, Clinton, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Hiram Clark, Clinton, to J. P. Richardson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Hiram Clark, Clinton, to J. P. Richardson, A.A.A.G., [December 1867], AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Edward Miller, Millican, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

state.” The carpetbagger agent had no troops, nor did he believe any necessary. A loyal sheriff greatly assisted Rand in his duties. “I have a sheriff who executes all my orders,” he said, “and has never failed in the prompt discharge of all my business.” The SAC even “prefer[red] him to troops.” Instead of remaining at Gilmer, which he described as calm and an easy assignment, Rand recommended to superiors that they reassign him to Jefferson, Marion County, the sixth largest city in the state and the largest city in northeast Texas at the time. Jefferson was a port city and the main collection area for cotton in the region, and an area that was notorious for violence and outlaws. Rand believed his services would be better used at Jefferson. Plus, he could help to lessen the workload of the Bureau agents at nearby Marshall, who were responsible for much of northeast Texas.<sup>49</sup>

In August of 1867 the conditions in Columbia were fairly calm. The white population was “sincere in some, feigned in others” toward the freedpeople, according to Patrick F. Duggan, but submit to all laws so long as they were “fairly administered to both races.” A former officer in a colored regiment and an Irishman, Duggan admitted he had no troops in his district and that the “freedpeople are as secure in their rights as if an entire regiment was in the county.” N. H. Randlett, who served more than two years with the organization in Texas and was highly respected by some at Bureau headquarters in Galveston, reported that he could get along without soldiers in May 1867.<sup>50</sup>

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<sup>49</sup> Charles F. Rand, ASAC, Gilmer, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Letters Received, 1867-1869, reel 14; Charles F. Rand, ASAC, Gilmer, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December 1867, reel 23; Charles F. Rand, ASAC, Gilmer, to J. T. Kirkman, A.A.A.G., July 1, 1867, AC, Letters Received, 1866-1867, reel 7; Charles F. Rand, ASAC, Gilmer, to J. T. Kirkman, A.A.A.G., September 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Charles F. Rand, ASAC, Gilmer, to Charles Garretson, A.A.A.G., October 1, 1867, AC, Reports of Operations and Conditions, September-October 1867, reel 22.

<sup>50</sup> Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., August, 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., September 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Special Orders No. 57, September 23, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869,

At Huntsville, James P. Butler, who appeared surprised by the good race relations in his area, reported throughout the spring and early summer that local officials impartially administered justice. He believed his presence in the district was all that was required to keep the situation calm and admitted the only need for troops was the “unavoidable pleasure” of arresting those parties who refused to settle with the freedmen. A similar situation existed in Beaumont. John H. Archer, an Englishman, who routinely submitted terse reports because of the light workload in his subdistrict, saw no need for troops in the spring and again in late fall of 1867. He attributed the situation to a cooperative civil government and the fact that most freedmen in the area worked in the lumber and shingle industries, not on plantations. “I can say they [would be better to] never have been freed than to remove the troops,” reported Philip Howard at Meridian. The scalawag agent, who one assistant commissioner considered one of the best civilian agents to have served in the Bureau in Texas, stated that in June 1867. By the end of the year, however, he had changed his opinion, even after the troops in the area had been withdrawn. With one exception in October (due to registration), Howard reported good race relations and few complaints by freedmen. Relations between whites and the freedmen were good enough for Howard to report to superiors that he did not “kneed” any troops. He even believed there would be no need for the Freedmen’s Bureau if the entire county was run by loyal men.<sup>51</sup>

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reel 19; N. H. Randlett, Anderson, to J. T. Kirkman, A.A.A.G., May 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Special Orders No. 7, January 28, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 65, April 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 62, October 18, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

<sup>51</sup> James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Philip Howard, Meridian, to [Headquarters], June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Philip Howard, Meridian, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., May 25, 1867, AC, Reports of Operations and Conditions,

Instances when field agents reported they did not need troops continued until the agency left the state in late 1868. Even as the Freedmen's Bureau wound down its operations and violence increased throughout the state in 1868, there were districts that remained orderly enough not to necessitate troops. In the summer of 1868 A. K. Foster had a very cooperative and effective sheriff in Hallettsville. Foster repeatedly informed superiors that he had no troops "nor can I say that there is a necessity for any." According to Fred W. Reinhard, he needed no troops in mid-summer 1868 because the "civil authorities in [the county] do their duty." In Columbus, New Yorker Louis W. Stevenson wrote that the disposition of the whites toward the freedmen was "generally as expressed, the feeling is good." As a result, he often stated in the spring and summer of 1868 that he did not need troops. At Lockhart, Thomas H. Baker, throughout the summer and fall of 1868, informed superiors that he thought troops unnecessary in his district. Hamilton C. Peterson, Baker's predecessor at Lockhart, also commented on the situation in Lockhart and believed protection from soldiers was unnecessary. The "feeling between white & freedpeople is pretty good," he wrote. Thomas C. Griffin experienced some problems with rowdies destroying the freedmen's school in Kaufman in late summer 1868. By the end of the year, however, he had a competent sheriff and things had calmed down enough that he could do without them. Hiram Clark had few troubles in the agency's last year in Texas. "I have no troops," wrote the carpetbagger from Illinois, and "none are desired for the protection of the

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December 1866-May 1867, reel 20; James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; John H. Archer, Beaumont, to J. T. Kirkman, A.A.A.G., AC, Reports of Operations and Conditions, December 1866-May 1867, reel 22; John H. Archer, Beaumont, to J. P. Richardson, A.A.A.G., November 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Philip Howard, Meridian, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Philip Howard, Meridian, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Philip Howard, Meridian, to J. P. Richardson, A.A.A.G., December 31, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Philip Howard, Meridian, to J. P. Richardson, A.A.A.G., January 31, 1867, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Philip Howard, Meridian, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

Freedpeople.” Although he had no troops assigned to his district in late 1868, William Holt believed that the freedmen in La Grange were “as safe as other men.” For much of 1868, the Bureau men at Victoria and Goliad also informed superiors they needed no troops to perform their duties.<sup>52</sup>

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<sup>52</sup> A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Hamilton C. Peterson, Lockhart, to J. P. Richardson, A.A.A.G., March 31, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, May-July, 1868, reel 26; Fred W. Reinhard, Centreville, to Charles A. Vernou, A.A.A.G., July 10, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Hiram Clark, Clinton, to Charles A. Vernou, A.A.A.G., July 2, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; William Holt, La Grange, to C. S. Roberts, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., July 1, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; A. K. Foster, Hallettsville, to Charles A. Vernou, A.A.A.G., December 2, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Hamilton C. Peterson, Lockhart, to J. P. Richardson, A.A.A.G., April 30, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Louis W. Stevenson, Columbus, to J. P. Richardson, A.A.A.G., April 30, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operation and Conditions, May-July, 1868, reel 26; Hiram Clark, Clinton, to J. P. Richardson, A.A.A.G., January 2, 1868, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Hiram Clark, Clinton, to J. P. Richardson, A.A.A.G., March 3, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Hiram Clark, Clinton, to Charles A. Vernou, A.A.A.G., September 2, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William Holt, La Grange, to C. S. Roberts, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Thomas H. Baker, Lockhart, to Charles S. Morse, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., September 30, 1868, AC, Reports of Operations, August-October, 1868, reel 27; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., December 31, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Thomas C. Griffin, Kaufman, to Charles A. Vernou, A.A.A.G., December 1, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; William J. Neely, Victoria, to C. S. Roberts, A.A.A.G., October 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William J. Neely, Victoria, to Charles A. Vernou, A.A.A.G., October 20, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Hiram Clark, Victoria, to [Charles A. Vernou, A.A.A.G.], November 3, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; [P. E. Holcomb], Goliad, to J. P. Richardson, A.A.A.G., December 1, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 23; [P. E. Holcomb], Goliad, to J. P. Richardson, A.A.A.G., January 21, 1868, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; P. E. Holcomb, Goliad, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations



These claims might be dismissed by some historians as evidence of Bureau agent-planter collusion or evidence that some Bureau men painted an overly optimistic picture for those at headquarters. Not wanting to be accused by superiors of being incompetent or ineffective if conditions in their subdistricts took a turn for the worse, Bureau agents could have believed it better to have reported all was good. In his study of a SAC in Virginia, William F. Mugelston found such discrepancies when he compared the man's reports to his private diary. So it is possible that all the Bureau men in Texas, who stated they did not need or did not want troops, could be "exaggerating" or "lying." But this does not hold up upon scrutiny. Considering the attitudes of many at Bureau headquarters in Galveston (suspicion toward the former Rebel community and belief that Texas was wrought with violence), it would not make sense for an agent to report something contradicting that. This was because any Bureau man that reported he did not need troops would be in stark contrast to what many at Bureau headquarters expected and contrary to pleas from many other SACs, who reported chaotic and violent conditions. Any subassistant commissioners who reported he did not need troops, considering the numerous requests by field personnel for them, would definitely have raised some questions from Bureau officials about that agent's competence. If Bureau agents "lied" or "exaggerated" every time they claimed troops were unnecessary in their subdistricts, this would have been discovered when superiors ordered an inspector to the subdistrict. But no instance of inspectors accusing field agents of "doctoring" their reports can be found in the extensive Bureau records. These men took pride in their work and took offense to any claim by their superiors that suggested they were not doing their duty. The thought of shirking their responsibilities as agents was not an option for many of them and very difficult to accept when compared to the reactions of many of

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and Conditions, January-February, 1868, reel 24; J. W. Wham, Goliad, to J. P. Richardson, A.A.A.G., March 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; [Julius A. Hayden], Goliad, to J. P. Richardson, A.A.A.G., March 30, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25.

them when their job performance was, in their judgment, unfairly questioned. Furthermore, to claim these reports about calm conditions and not needing troops were false would also be an indictment of Bureau officials and the organization as a whole. It would require believing that the entire organization was one enormous conspiracy against the former slaves, a claim that the evidence has shown to be untrue.<sup>53</sup>

In the first half of 1867, as Congressional Reconstruction commenced, subassistant commissioners entered politics. The Reconstruction Act of 1867 made the Throckmorton government provisional and called for registration of all males, black and white, to elect delegates to draft a new state constitution. Field agent had to ensure an orderly registration and make sure that the freedmen would not be duped or misled by whites during the process. With voter registration, agents became “foot soldiers” for the Republican party, not necessarily because they identified with the Radical Republicans, but because a strong Republican party in Texas would ease their job and protect the freedpeople. Bureau agents’ political activity was sometimes covert as they influenced the freedmen to vote for the party that freed them and hindered Democratic efforts to win favor with the former slaves.

Upon entering the position of assistant commissioner, Griffin transferred much responsibility to local officials in an effort to reduce the constant collisions so prevalent during Kiddoo’s administration and to streamline the organization. Where some agents reported problems with local officials due to confusion and misunderstanding about Griffin’s orders, others reported that local officials were cooperative and willing to protect the freedmen. For some agents, conditions had improved to a point that made troops unnecessary. This “quiet,” however, did not fool some in the field, for they saw this as the calm before the storm. Rather

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<sup>53</sup> Mugleston, ed., “The Freedmen’s Bureau and Reconstruction in Virginia,” 49.

than a change in attitudes, some Bureau agents simply saw this as a battle in a lengthy war. The orders from headquarters in Galveston, the admittance of freedmen to the jury box, and the passage of the Reconstruction Act of 1867 had simply created a lull in the resistance from the Rebel community. Some Bureau agents believed a firestorm loomed on the horizon, one that would end the general quiet and threaten the prospects for the upcoming election. “The disposition and feeling of the white people . . . towards the Freedpeople,” DeWitt C. Brown wrote, “and in fact towards all that pertains to the Government of the United States, is vicious and vindictive.” He further noted that all “of their apparently good acts are prompted by selfish motives. Any cloak that will most effectually hide the corruption of the heart is worn and exchanged as rapidly as the expression of the countenance. Hypocrisy is as prevalent among these people as it certainly could have been in the day of Charles II. Ignorance and the late war of the Rebellion . . . have unduly stimulated among them the baser passion of human nature.” DeWitt as well as many of his fellow agents in the field, braced for a Rebel counterstrike.<sup>54</sup>

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<sup>54</sup> DeWitt C. Brown, Wharton, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations, December 1866-May 1867, reel 20.

## CHAPTER 7

### VIOLENCE, FRUSTRATION, AND YELLOW FEVER: THE CHARLES GRIFFIN ERA, SUMMER 1867

The latter half of 1867 would be a very violent and difficult time for many subassistant commissioners in Texas. A new labor system was still evolving. Indeed, General Griffin would institute a new labor policy, one that he hoped would not only reverse the unwise course of his predecessors, but also better protect the former slaves and ensure their wages. While the Freedmen's Bureau was trying to develop the labor situation, its agents had to deal with increased white resistance. The brief respite in white resistance that followed the Reconstruction Act of 1867 and Griffin's "new order" would come to an end. White Texans, in fact, would push back in a way not seen since the end of the war. As the agency attempted to stem white violence and deal with labor problems, Bureau agents remained committed to the freedmen. Any man discovered not living up to his responsibilities was brought to the attention of those at headquarters. Although only a portion of these charges were substantiated, disputes developed between field agents, and frustration increased between some in the field and those at headquarters. During this time, other obstacles would also develop to break the calm. The Freedmen's Bureau's registration of voters, the onset of a deadly epidemic of yellow fever, and the daily trials and obstacles of Bureau service all took their toll on the minds and bodies of the subassistant commissioners. In fact, for the agency, this would be a deadly year. Of the twelve Bureau agents who died from accidents, disease, natural causes, or murder while the Freedmen's Bureau operated in Texas, nine died in 1867. Six of these men would die of yellow fever. At the height of the epidemic, as many whites and blacks lay dead or dying, including Assistant

Commissioner Griffin, Texans began to call 1867 the “year of crucifixion.”<sup>1</sup>

As voter registration progressed and Bureau agents increased their political activity, violence intensified throughout portions of the state. In certain areas, Bureau men had little trouble with voter registration. In many others, however, white resistance greatly interrupted the process. In the places where violence occurred, field agents euphemistically reported “a change in the white population’s disposition.” At Woodville, P. B. Johnson stated that rowdies threatened the freedmen with death. To remedy this, Johnson asked white Unionists in the area to provide some protection. Although in Harrison County the voter registration process went off quite smoothly, A. G. Malloy reported problems in other counties in his district in northeast Texas throughout July and August 1867. In Sterling, the freed community routinely had their religious gatherings broken up by violent whites. Oscar F. Hunsaker, the agent in Sherman, further reported rumors about dead freedmen floating in the river. Hunsaker informed that the whites in his district vowed not to allow “the *d-d Yankees* and *negroes* [to] *rule this country*.” He wrote that “The lawless state of Shelby County [an adjoining county in his district] makes performance of my duties there almost impossible. My life and those of my men are far from being safe when we are compelled to visit [that county].” The Bureau agent at San Augustine, Albert A. Metzner, admitted due to the chaotic conditions that he seldom could visit certain counties in his subdistrict.<sup>2</sup>

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<sup>1</sup> Kathleen Davis, “Year of Crucifixion: Galveston, Texas,” *Texana* 8 (1970): 140-153. The agents who died while in Bureau service were Isaac M. Beebe (died in 1866), Augustus B. Bonnaffon (1867), George F. Eber (1868), Charles E. Culver (1867), James C. Devine (1867), L. H. Warren (1867), Patrick F. Duggan (1867), David L. Montgomery (1868), Ira W. Claflin (1867), Sam W. Black (1867), J. D. O’Connell (1867), and John Williamson (1868). Both William Garretson and Thomas Murray Tolman died in 1867, but their deaths occurred after they had left the Freedmen’s Bureau.

<sup>2</sup> Oscar F. Hunsaker, Sterling, to J. T. Kirkman, A.A.A.G., July 16, 1867, AC, Letters Received, 1866-1867, reel 6; Albert A. Metzner, San Augustine, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; James Lowrie, Jasper, to J. T. Kirkman, A.A.A.G., September 13, 1867, AC, Letters Received, 1867-1869, reel 13; Billy D. Ledbetter, “White Texans’ Attitudes Toward the Political Equality of Negroes, 1865-1870,” *Phylon* 40 (September 1979): 253-263; *Flake’s Daily*

In Seguin, George W. Smith, of the Brenham Fire fame, wrote that the white community had a “great deal of feeling” about “the meetings held” in this area by the freedpeople and white Unionists. Albert Evans experienced similar problems with whites intimidating and threatening freedmen. When the freedpeople complained to him, Evans “gave them a little talk” and asked for a detachment of troops to be stationed in his district, at least until the registration of voters concluded. His predecessor, S. H. Lincoln, advised the freedpeople in the area to leave and go elsewhere. “[T]he whites are so bitter against them that when the troops are removed they will be in worse condition than when they were slaves.” Whites shot at registrars in Washington County, and some freedmen in Crockett were discharged by their employers due to their political beliefs. William G. Kirkman, the agent at Boston and brother of the acting assistant adjutant general, informed superiors that all the problems with voter registration in his subdistrict stemmed from the desperado Cullen Baker, who seemed to evade all attempts at capture. Even at Galveston, which always had a large contingency of troops, Bureau agents who served at that post in 1867 had difficulty with whites who were “embittered by the political rights” extended to the freedmen.<sup>3</sup>

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*Bulletin*, August 16, 1867; P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., September 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Special Orders No. 137, November 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 45, April 17, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19. For instances of agents reporting a smooth registration process, with little problems, see Phineas Stevens, Hallettsville, to J. T. Kirkman, A.A.A.G., July 1, 1867, and August 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21, and A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., June 1, 1867, AC, Letters Received, 1866-1867, reel 7.

<sup>3</sup> George W. Smith, Seguin, to J. T. Kirkman, A.A.A.G., July 4, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Albert Evans, Kaufman, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; S. H. Lincoln, Kaufman, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; [E. M. Wheelock], Galveston, to J. P. Richardson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; William G. Kirkman, Boston, to Charles Garretson, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; William G. Kirkman, Boston, to J. T. Kirkman, A.A.A.G., September, 4, 1867, AC, Letters Received, 1867-1869, reel 16; *Flake's Daily Bulletin*, July 12, 1867.

If the voter registration process was not enough to deal with, now the men in the field had a more familiar problem: Andrew Johnson. “Intense excitement exists at this place,” wrote Jasper agent James Lowrie. “A rumor has reached here that Andrew Johnson has called in the army of the United States as commander-in-chief and annuls the registration law and all partisan measures of Congress.” A few months later, Lowrie reported that now the white citizens believed that the president had enfranchised every man north and south and “dispensed with Military Districts, Bureau’s, and all other partisan measures of congress.” According to Mortimer H. Goddin, President Johnson’s “course has ruined every thing.” He continued that “if it is not speedily stopped the scenes of 60 and 61 will soon be returned.” John Dix at Corpus Christi not only had to deal with the white anger caused by registration, but also white resistance inspired by the president’s policies and actions. “The late Amnesty and Pardon proclamation has inspired the rebels with new hopes of being admitted to the ballot box,” Dix noted, “and by it then flattering themselves they will gain the ascendancy in the government, and openly express themselves as to the feeling they intend to pursue.” Things in Liberty were bad in July 1867. These people “*are lost to all honor*,” A. H. Mayer stated, “they cannot be trusted in any way. If they can beat the ‘damned Bureau or the damned nigger’ that is a feather in their [cap].”<sup>4</sup>

Whites turned their anger especially on what they believed was the driving force behind the registration of freedmen and their political activity: the subassistant commissioners. From threats to physical assaults to murders, Bureau agents personally experienced white anger about freedmen’s new right to vote. The latter part of 1867 was a difficult and violent time for many of

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<sup>4</sup> James Lowrie, Jasper, to J. J. Reynolds, October 22, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; Mortimer H. Goddin, Livingston, to [Headquarters], August 31, 1867, AC, Letters Received, 1867-1869, reel 1; John Dix, Corpus Christi, to [J. T. Kirkman, A.A.A.G.], September 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., July 30, 1867, AC, Letters Received, 1866-1867, reel 7; C. S. Roberts, A.A.A.G., to Henry C. Lacy, Crockett, September 25, 1867, SAC, Letters Sent, May-November, 1867 and September-November 1868, reel 19.

them. More than a few agents believed their lives threatened, and others actually escaped attempted assaults or murder plots. Albert Evans at Sherman was “fully satisfied” that bushwackers “plotted against” his life. The lack of troops, Evans noted, literally paralyzed operations in Sherman to the extent that he could hardly leave his office. This was also a problem for his successor, Thomas Murray Tolman. H. S. Johnson, who admitted to superiors in Galveston that he could do nothing more than give those who committed violent acts “a good scare,” worried after ordering the arrest of a white man for attacking a freedman. “I think they will put him through,” Johnson wrote, “and perhaps when I return [from a tour] he will attempt to do me the same favor.” Albert A. Metzner at San Augustine, who many times had described the chaotic conditions in Shelby County (one of the counties in his district), wrote that he had received death threats from whites in that county. “I have received three or four messages that I would be hung whenever I showed myself there,” he declared, “I shall leave for Shelby tomorrow to try it.”<sup>5</sup>

The future Speaker of the House in the Texas State Legislature, Ira H. Evans, was confronted by George Quinan, a lawyer in Wharton County, who had problems with the previous Bureau man in the county. As the two conversed, Quinan soon accused Evans of wanting to “injure him” and berated the SAC with “very offensive language.” Evans told the man that he would not allow anyone to talk to him like that, and “not wanting to become engaged in a quarrel I left him and proceeded to my office.” Quinan came to the agent’s office a short time later. He asked for some papers relating to a particular Bureau court case. Evans told him that he had

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<sup>5</sup> Albert Evans, Sherman, to S. H. Lathrop, A.A.A.G., February 14, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., August 20, 1867, AC, Letters Received, 1866-1867, reel 6; H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., May 8, 1867, AC, Letters Received, 1866-1867, reel 6; Albert A. Metzner, San Augustine, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, June-August, 1867, reel 21; Albert Evans, Sherman, to J. T. Kirkman, A.A.A.G., February 28, 1867, December 1866-May 1867, reel 20; Thomas M. Tolman, Sherman, to [Headquarters], March 31, 1867, Reports of Operations and Conditions, December 1866-May 1867, reel 20.



never received the papers, but agreed to look in his docket to give “him all the information I was able.” At that moment, Evans noticed Quinan winking and “moving his lips in a very significant manner” to a companion that had accompanied him to the office. When confronted about trying to communicate with his friend, Quinan launched into another verbal tirade against the Bureau agent. Evans had the man escorted out of his office. Throughout the rest of the day and night, Quinan confronted Evans on several occasions in order to start a quarrel. Each time, however, the Bureau agent refused to be baited into a confrontation.<sup>6</sup>

Frustrated by the agent’s dismissals, Quinan verbally lashed out at Evans and called him a scoundrel. For this slight, the SAC asked Quinan to follow him to his office and, after disarming him, fined him fifty dollars for the verbal abuse and had him jailed. “I know of no other course which I could pursue without subjecting myself to constant abuse and insult from those infamous rebels,” Evans argued to superiors about the event. “It is unnecessary for me to say that if I am not allowed to protect myself from insults and abuse by summarily punishing the guilty parties, I shall be subject to insults and abuse every day and shall only be able to protect myself by shooting those who insult me.” Bureau officials in Galveston approved of his course. After an outlaw escaped custody and fled with a United States soldier, the white community in Robertson County “publicly avowed their intention of shooting the ‘Bureau’ next.” The Bureau man, who was prostrated by bilious fever and could not get a doctor to attend to him at the time, informed officials that the white community now believed the rest of the troops would also desert.<sup>7</sup>

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<sup>6</sup> Ira H. Evans, Wharton, to J. T. Kirkman, A.A.A.G., August 14, 1867, AC, Letters Received, 1866-1867, reel 5.

<sup>7</sup> Ira H. Evans, Wharton, to J. T. Kirkman, A.A.A.G., August 14, 1867, AC, Letters Received, 1866-1867, reel 5; George T. Ruby, Traveling Agent, to J. T. Kirkman, A.A.A.G., July 26, 1867, AC, Letters Received, 1866-1867, reel 7; Endorsement of letter from Ira H. Evans, Wharton, to J. T. Kirkman, August 16, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2.

Soon after arriving in Ellis County in late summer of 1867, Edwin Finch found that most of the white people in his subdistrict were cordial, but there were a few “unconquered, disfranchised Rebs [who] manifest quite a different spirit.” He informed superiors that an informant told him that those “unconquered, disfranchised Rebs” hoped to get his removal. “I quietly replied to my informant that they had tried to measure arms once with Uncle Sam,” the feisty Finch informed superiors, and “did not quite succeed & perhaps they had better be studying about settling up for the old score before opening a new act.” His spunk worked for a short time, but a few months later, Finch admitted that he needed soldiers for protection. He needed these men not only for protection but also “courier duty,” since his office was fourteen miles from the county seat and the area’s law enforcement. Without these four men, Finch admitted, it “would seriously cripple my efforts in the discharge of my official duties.” To send for the sheriff would be like “walking 2 miles to catch a horse to ride one.” John M. Morrison at Palestine got into a tussle with an intoxicated white man. As the man was in town trying to “raise a fuss,” the Bureau agent confronted him to disarm him. When Morrison asked for his pistol, the local man answered that “I’ll be damned [if] I will” give you my gun. The field agent asked again, only this time the man answered by pointing the loaded pistol at him. Morrison immediately grabbed it, which caused the man to reach for and produce a large knife. As he lunged at Morrison, however, a soldier, who had accompanied the Bureau agent, shot the man dead.<sup>8</sup>

Joshua L. Randall had to deal with the mess created by his predecessors in Sterling, Robertson County. E. H. Mitchell, a very prominent woman and local planter, was accused of

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<sup>8</sup> Edwin Finch, Milford, to J. T. Kirkman, A.A.A.G., July 31, 1867, AC, Reports of Operations and Conditions, June-August 1867, reel 21; Edwin Finch, Milford, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, Reports of Operations and Conditions, September-October 1867, reel 22; John H. Morrison, Palestine, to [Charles] Griffin, August 2, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21.

non-payment of her employees and abuse. In the spring of 1866 she had allegedly slapped one of her hands while Bureau agent Robert C. McClermont punished the freedman for breaking his contract by hanging him by his thumbs (see Chapter 3 for the details of McClermont's actions). As Randall investigated the claims, several citizens warned him about challenging her. "[I]f I had any actions against her," they said, "I should get more than I bargained for." Although he hoped to avoid "any difficulty with a woman of Mrs. Mitchell's antecedents and character," Randall was not deterred, and the sheer number of complaints against her steeled his resolve for justice. He called upon the woman at her plantation. Mrs. Mitchell claimed the accusations of non-payment were false. But when the Bureau man asked for her account books, she could not find them. In fact, while Randall talked with Mrs. Mitchell in one room of the house waiting for the books, her husband was "franticly" doing something in a back room. After almost an hour, her husband "found" them and handed the books to the agent, who was surprised that the ink in them was still wet.<sup>9</sup>

Randall stayed for dinner to discuss the charges against her. While at dinner, he addressed the complaints against Mrs. Mitchell, informing her that she owed hundreds of dollars to her workers. She refused to pay and began to abuse the SAC verbally. Mrs. Mitchell accused me of "of wanting to be bribed," Randall informed Bureau headquarters, and "at almost the same breath said she had no doubt I intended to divide the money with the nigger[s]." She concluded her rant by calling Randall a minion of "some great 'abolition[ist] nigger worshipper.'" Mrs. Mitchell wrote Bureau officials in Galveston, claiming that she had been "grossly insulted." She wanted "to have [Randall] ousted from office, if it cost \$1000." Her husband, however, was willing to pay as much as "\$10000." Randall was unmoved in his determination to get the

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<sup>9</sup> Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., June 7, 1867, AC, Letters Received, 1866-1867, reel 7; E. H. Mitchell to Charles Griffin, May 28, 1867, AC, Letters Received, 1866-1867, reel 7; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., May 11, 1867, AC, Letters Received, 1866-1867, reel 7.

freedmen's money, despite numerous bribe offers, threats to his life, and accusations about his job performance and character. Randall admitted that he feared for his life. In response, military officials dispatched soldiers to protect him, and Bureau officials in Galveston ordered him not to take any further action in the Mitchell case until instructed. Surprisingly, however, after his approach in the Mitchell case, even after the troops left, Randall reported a transformation in his subdistrict throughout 1868. In fact, for most of that year he performed his duties without the need for troops.<sup>10</sup>

In Harris County, Byron Porter, a friend of William H. Sinclair and a man Bureau officials in Galveston considered one of the "most efficient officers on duty in the Bureau in this state," fined a citizen for threatening the life of President Andrew Johnson. The Harris County sheriff believed the fine was unjust and illegal and tried to arrest Porter. Porter sought protection with the post commander, who prevented local authorities from acting on the arrest warrant. Shortly thereafter, Porter was reassigned to Austin, where he remained until being reassigned to Bastrop. His time in the state capital was rather uneventful, but not in Bastrop, and Porter ran afoul of some of the white locals, particularly the Bell family. William J. A. Bell and his son were accused of shooting and wounding a freedman more than a year earlier. While Porter interrogated a witness to the shooting, the elder Bell burst into the proceeding. He called the

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<sup>10</sup> Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., June 7, 1867, AC, Letters Received, 1866-1867, reel 7; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., July 19, 1867, AC, Letters Received, 1866-1867, reel 7; George E. Durant to J. P. Richardson, A.A.A.G., AC, Letters Received, 1867-1869, reel 11; J. T. Kirkman, A.A.A.G., to Joshua L. Randall, Sterling, June 1, 1867, AC, Letters Sent, March 1867-May 1869, reel 2; J. P. Richardson, A.A.A.G., to Joshua L. Randall, Sterling, January 27, 1867, AC, Letters Sent, September 1865-March 1867, reel 2. For the reports from Joshua L. Randall, see Joshua L. Randall, Sterling, to J. P. Richardson, A.A.A.G., January 31, 1867 and February 29, 1867, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Joshua L. Randall, Sterling, to J. P. Richardson, A.A.A.G., March 31, 1867, and April 30, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Joshua L. Randall, Sterling, to Charles A. Vernou, A.A.A.G., May 31, 1868, June 30, 1868, and July 31, 1868, AC, Reports of Operations and Conditions, May-July 1868, reel 26; Joshua L. Randall, Sterling, to Charles A. Vernou, A.A.A.G., September 30, 1868, and October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; and Joshua L. Randall, Sterling, to Charles A. Vernou, A.A.A.G., November 30, 1868, and December 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28.

witness a “God d-m liar.” A few days later, Porter ordered Bell’s arrest for the assault on the freedman. A local court found the elder Bell not guilty. The SAC, believing the trial a farce, arrested and fined Bell. According to the Bureau man, Bell “said . . . that I ‘must’ pay him back that fifty dollars, ‘or one of us must die.’” Since his arrest and fine, Porter told superiors, Bell has “been perfectly furious with me and has endeavored in all possible ways to annoy me.” Moreover, Porter reported that some Unionists warned him that Bell was capable of assassinating him. In fact, he received an anonymous letter “warning me that I had better leave.”<sup>11</sup>

In the late summer of 1867, Porter also ordered the arrest of Bell’s son, but with aid from his father, the younger Bell evaded capture. One day while riding along the streets of Bastrop, Porter was approached by the elder Bell. He wanted to talk to the Bureau agent, but Porter told him he was in a hurry. The SAC continued down the street where he stopped to talk to another local citizen. Feeling slighted, the elder Bell went down the street and met Porter. “I was confronted by Bell,” wrote Porter, “who pointed a six-shooter at me and said, ‘God d-m[,] you wouldn’t stop to talk with me but by God you’ve got to now.’” One of Bell’s friends intervened but to no avail. As the local tough continued to threaten the agent and verbally accost him, Porter stood there and took it, realizing Bell wanted a fight. “If I had made the slightest demonstration or had turned to leave him,” the Bureau man wrote, “he would have shot me down.” Bell soon tired of the standoff and “moderated his tone,” holstered his pistol, and rode off. But before the two departed, Bell warned Porter that he would “call [him] to account” for

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<sup>11</sup> Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., April 20, 1867, AC, Letters Received, 1866-1867, reel 7; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., November 17, 1867, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 7, 1868, AC, Letters Received, 1867-1869, reel 7; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., May 1, 1867, AC, December 1866-May 1867, reel 20; Byron, Porter, Bastrop, to J. T. Kirkman, A.A.A.G., April 2, 1867, AC, Letters Received, 1866-1867, reel 7.

his actions.<sup>12</sup>

Throughout the next week, Porter again endured Bell's threats of death, even as he lay sick with fever. "While I was lying very ill with the fever, and it was reported that I was dying," the Bureau agent noted, Bell "drove his carriage past my house several times making all the noise he could making faces and yelling." Believing these threats and actions more than just sophomoric pranks, Porter had Bell arrested and confined under the military's protection to prevent any attempts at escape. Many Bastrop citizens, including former Bureau agent Alex B. Coggeshall, came to Bell's defense (Coggeshall might have wanted some revenge against his successor for Porter's critical inspection report to Bureau officials about his performance as Bureau agent earlier in the year). At his trial, after Porter had testified to what happened on the street between the two, Bell had his lawyer change his plea from not guilty to guilty of aggravated assault, but only if the case could go straight to the jury without any further evidence being presented. The jury let him off, which infuriated Porter, who called the whole proceeding a farce. To make matters worse for the Bureau man, Bell not only continued his threats against him, but was also sworn in as a deputy sheriff of the county. Fearful that this act might result in their removal by military officials, Bastrop civil officials rescinded Bell's appointment after they learned Porter had notified Bureau headquarters. Less fearful of federal officials was Bell, who continued to vow vengeance against the subassistant commissioner. For the rest of his time as an agent, Porter continued to have difficulties with Bell. In fact, the local man sued Porter in civil court for fining him fifty dollars. This proceeding, the agent believed, would be one in a "series of annoyances of a kindred character, which I shall have to undergo on account of my official

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<sup>12</sup> Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., November 17, 1867, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., April 18, 1867, SAC, Letters Sent, February 1867-February 1868, reel 13; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., August 28, 1867, AC, Letters Received, 1867-1869, reel 14.

acts.” Although the military came to his aid and shielded him from this unlawful action, Porter soon resigned and returned home.<sup>13</sup>

Some field agents suffered physical assaults as well as verbal threats. Unknown whites, who James Lowrie believed were part of a serenading party that went throughout town, shot him in the thigh while he slept in his room at Jasper. As he lay in his bed wounded, Lowrie dispatched his roommate, a freedmen’s school teacher, to bring troops immediately. The post commander and agent at Livingston, Louis Sanger, arrived with his men but found the attacking party had dispersed. With a few troops to protect him, things remained quiet for Lowrie as he healed. Yet he still feared another assassination attempt. The order brought about by the presence of troops ended when Lowrie arrested the sheriff for murder. According to Lowrie, he had to release the sheriff from custody “owing to excitement and armed people threatening to rescue him.” Although he promised the Bureau agent he would remain in the county, the sheriff quickly fled the area. Bureau officials ordered the Bureau agent in Beaumont, John H. Archer, to Jasper to investigate the shooting of Lowrie. The Beaumont agent suspected that many of the whites in town had participated in the shooting. “[T]he only way to prove who are the guilty parties,” Lowrie concluded, “is to arrest the whole town. . . .”<sup>14</sup>

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<sup>13</sup> Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., November 17, 1867, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 7, 1868, AC, Letters Received, 1867-1869, reel 14; William T. Allen, et. al, to [Headquarters], n.d., AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., January 4, 1868, SAC, Letters Sent, February 1867-February 1868, reel 13; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., January 4, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 23; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 10, 1868, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., March 28, 1868, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., March 28, 1868, SAC, Letters Sent, March-December 1868, reel 13; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., April, 1, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 24, 1868, AC, Letters Received, 1867-1869, reel 14; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 20, 1868, AC, Letters Received, 1867-1869, reel 14.

<sup>14</sup> James Lowrie, Jasper, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; John H. Archer, Beaumont, to J. T. Kirkman, A.A.A.G., August 14, 1867, AC, Letters Received, 1866-1867, reel 4; James Lowrie, Jasper, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; James Lowrie, Jasper, to J. T.

The attempt on his life greatly affected Lowrie. In fact, for the rest of his tenure at Jasper, he spent much time away from his post at Woodville in the company of the detachment of soldiers there. While accompanying the soldiers to the state capital (they had been ordered there to be reassigned), Lowrie received word that Inspector William H. Sinclair was due to arrive at Jasper, whereupon Lowrie quickly returned. When confronted by Sinclair about his whereabouts and reports that he had been in Woodville for many days, Lowrie said that he considered it too dangerous to remain in Jasper. As for the reason he did not accompany the troops all the way to the state capital, the Bureau agent claimed his conscience had gotten to him. "The reason he gives for returning . . . and not going to Austin," wrote Sinclair, was "that he got ashamed that he had left and would go back and take [his] chances." Sinclair doubted these reasons, for Lowrie's "books show that he has transacted no business since early 1868. Sinclair believed Lowrie was heading for Austin because he thought the Freedmen's Bureau "would play out" soon, and he wanted to "get to Austin just about that time and settle up and go home." Bureau officials relieved the derelict agent from duty a few weeks after the inspector's report in July 1868.<sup>15</sup>

While at Richmond, William H. Rock saw how quickly conditions in Texas could change during Reconstruction. Throughout the spring and early summer of 1867, he routinely reported to superiors that conditions in his subdistrict were good and that troops were not necessary. Even when things started to become rowdy in his area, Rock admitted that he might need only a few men. "I would rather see more men," he wrote in mid-August, "yet I can spare them better

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Kirkman, A.A.A.G., July 31, 1867, AC, Report of Operations and Conditions, June-August, 1867, reel 21; James Lowrie, Jasper, to J. J. Reynolds, October 22, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18.

<sup>15</sup> William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 23, 1868, AC, Letters Received, 1867-1869, reel 15; Special Orders No. 44, July 31, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.



than other agents.” A few weeks later, however, the sheriff of Fort Bend County assaulted Rock. No longer having a sheriff to help with his duties and fearful of what the assault might mean to his authority with the white community in Fort Bend County, Rock requested soldiers. Alfred F. Manning, an officer in the VRC who had lost a leg at the Battle of Chancellorsville in 1863, was “waylaid” while touring his own district. The perpetrators shot him twice in his good leg, which caused a severe flesh wound.<sup>16</sup>

Throughout the summer and fall, Charles E. Culver complained not about the actions of white citizens so much as the actions of the soldiers in his district in Cotton Gin. First, he had a problem in July 1867 with black troops from outside his subdistrict. These black soldiers, stationed in Waco, attended a political meeting in Corsicana and fired “a salute” after the speeches had concluded. Their volley reportedly injured several spectators attending the meeting. This was not the first time that soldiers from Waco had come into Culver’s district and caused problems. With the exception of Bureau headquarters, Culver believed his authority unquestioned within his subdistrict and free from outside interference. “It will be impossible for me to conduct this district with the credit to you or honor to myself,” the field agent stated, “if other parties are allowed to interfere without my permission.” A few months later, in October, he again had problems with soldiers, this time with those stationed at his post. He wrote to superiors that the men were worthless and accused them of being too weak to arrest outlaws. The SAC described one confrontation in which they were disarmed by a white perpetrator. According to Culver, the boys in blue were “completely cowed down.” Faced with a hostile

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<sup>16</sup> William H. Rock, Richmond, to J. T. Kirkman, A.A.A.G., August 12, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; William H. Rock, Richmond, to J. D. O’Connell, Houston, August 30, 1867, AC, Letters Received, 1867-1869, reel 14; Charles Griffin to O. O. Howard, June 15, 1867, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18; William H. Rock, Richmond, to Charles Garretson, A.A.A.G., September 20, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; *Field Record of Officers of the Veteran Reserve Corps*, 28.

community, the Bureau agent worried for his life. “I can’t depend upon these men here,” he concluded, “they have too much gas & not enough fight.” A white Unionist informed Culver that while attending a meeting the other day “a half dozen Revolvers were pointed at me,” and all the perpetrators wanted was “an unguarded moment to put a bullet in me.” In fact, Culver, as he described the conditions in his subdistrict, expressed an opinion held by more than a few agents. “You who are so far away from this scene cannot see the picture as it is,” he said, “nor can I write so as to give you an adequate idea.”<sup>17</sup>

Although as “good natured as the day is long” and not easily “aggravated into imposing” on the white locals, Culver had every reason to worry. A devout Congregationalist, Culver entered Bureau service to satisfy his desire for service to the less fortunate, and he refused to be swayed by white amenities or offers of friendship. He put himself in danger for the cause of justice (both for the white and freed communities) by often traveling his very large and violent subdistrict without military protection. On more than one occasion, Culver had to get his point across through the barrel of his gun. His zeal, incorruptibility, and steadfastness were intolerable to many whites in the area. In fact, as Culver returned from a trip to the state capital, a white man stopped him on the road leading into Cotton Gin. The man, who did not recognize the Bureau agent, inquired if Culver was another agent sent to replace “that damned Culver.” While at a July 4<sup>th</sup> celebration in Corsicana, which was in an adjacent county, one white citizen referred to Culver as “that damned Yankee Bureau man” in a speech. This only encouraged the rest of the crowd to join in on the verbal attacks against him. For the rest of the day, the white crowd

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<sup>17</sup> Charles E. Culver, Corsicana, to J. T. Kirkman, A.A.A.G., July 22, 1867, AC, Letters Received, 1866-1867, reel 4; Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., October 10, 1867, AC, Letters Received, 1867-1869, reel 10; Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., July 24, 1867, AC, Letters Received, 1866-1867, reel 4; Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., October 25, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; John Bruce, et. al, to Brig. Gen. James Oakes, Commander, Post of Austin, September 27, 1867, AC, Letters Received, 1867-1869, reel 14.

verbally accosted the Bureau agent, bragging about their resiliency in resisting the Union cause. They also showed their “resiliency” in late 1867, when Culver, as he tried to enforce a local ordinance, was gunned down and killed in the streets of Cotton Gin. Whites in other counties would use Culver’s death to their advantage. Wanting to scare the Bureau agent in their area, whites in Dallas “publicly threatened” William H. Horton with “a fate similar to Capt. Culver.” This was one of several death threats against Horton while he served in Dallas.<sup>18</sup>

The constant strain and anxiety could, at times, be just as debilitating as physical violence. The case of Albert H. Latimer is revealing. An opponent of secession, state comptroller in A. J. Hamilton’s administration in late 1865, a Unionist delegate to the Constitutional Convention of 1866, and later a prominent Republican politician and judge in E. J. Davis’ gubernatorial administration, Latimer’s loyalty to the cause was unchallenged. He came highly recommended to Bureau officials, having been “tried and found pure.” Latimer received an appointment to his home county of Red River, a place that bordered the Indian Territory (Oklahoma) and a county that was notorious for its lawless nature. “The rowdy class . . . control everything and ride rough shod over every bond,” witnessed one inspector about the county, and “are all enemies to reconstruction and everything tending to law and order.” Latimer was heralded by a few as the right man at the right place.<sup>19</sup>

The work load and conditions in the county, however, soon proved to be too much for the

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<sup>18</sup> Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., June 26, 1867, AC, Letters Received 1866-1867; Smallwood, “Charles E. Culver, A Reconstruction Agent in Texas,” 358, 360, 357-358, 360-361; William H. Horton, Dallas, to J. P. Richardson, A.A.A.G., December 31, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., September 20, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., November 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Endorsement of letter from William H. Horton, Wharton, to J. B. Kiddoo, January 7, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2.

<sup>19</sup> William H. Sinclair, Inspector, [J. T.] Kirkman, A.A.A.G., July 2, 1867, AC, Letters Received, 1866-1867, reel 8; Tyler, ed., *New Handbook of Texas*, 4:102; Richter, “This Blood-Thirsty Hole,” 54-56.

elderly SAC (at the time of his appointment, he was just under sixty years old). He constantly pleaded for troops and sent in only one monthly report on operations and conditions to Bureau headquarters in Galveston during his entire tenure as subassistant commissioner, something that went against Bureau regulations in Texas. Wanting to know what Latimer was doing, Bureau officials ordered an inspector to Red River County. What William H. Sinclair found in Clarksville shocked the inspector, who during his time in the Bureau in Texas had seen it all. According to Sinclair, it would be a miracle if some of the voter registrars were not killed. The inspector noted that white Unionists and freedmen lived in fear and that public law and order was a farce. "My God," he cried out, "how your heart would bleed for the union men of this county." It was simply "pandemonium." He described conditions reminiscent of the late war. "I thought the war was over," Sinclair believed, "but since I've been here I find I was dreaming. It isn't." In fact, the calm, collected Sinclair, who prided himself on his accurate reporting, worried how he would be perceived by this account. "I have written so earnestly," he admitted, "that you will think me wild."<sup>20</sup>

When he visited Latimer, Sinclair remarked that "the times and the condition of affairs here are killing him." He wrote that the elder Bureau agent "looks ten years older than when I saw him a year ago." Latimer was scared for his life, and Sinclair was scared for him too. Latimer wished to be relieved. Worried about the prospects of voter registration and the Union cause in the county, Sinclair recommended that Bureau officials replace Latimer with a "young man with blood in his eyes" and one "who is up to the times." Someone with "backbone," he continued, had to be sent to Red River County. That man was Charles F. Rand, considered one

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<sup>20</sup> William H. Sinclair, Inspector, to [J. T.] Kirkman, A.A.A.G., July 2, 1867, AC, Letters Received, 1866-1867, reel 8; Richter, "This Blood-Thirsty Hole," 54-56.

of the best agents in the state and someone Sinclair believed indispensable.<sup>21</sup>

A native New Yorker and officer in the VRC, Rand took great pride in his reputation and work. Whether assigned to Matagorda, Marshall, Wharton, or Gilmer (his previous posts), Rand was guided by a sense of fairness and prudence that won him the admiration of fellow agents, superiors, the freedmen, and even some whites in his district. Possessing “backbone” and an indefatigable spirit, Rand often performed his duties in previous posts without the aid of soldiers and, according to the agent, with little need for them. “[H]e is not a man inclined to be scar[ed] when ordered on duty,” noticed those who worked with him, “but . . . the reverse is the case.” Rand’s ability and courage were greatly tested when officials at headquarters reassigned him to Clarksville, Red River County, in late 1867. In the first couple of months at Clarksville, Rand busied himself with the typical responsibilities of a Bureau agent. He was very zealous, particularly when obtaining the freedpeople’s wages due, confiscating white employers’ property if they refused to pay their laborers.<sup>22</sup>

In spite of Rand’s zeal, the conditions and the white people in the county greatly hindered

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<sup>21</sup> William H. Sinclair, Inspector, to [J. T.] Kirkman, A.A.A.G., July 2, 1867, AC, Letters Received, 1866-1867, reel 8; C. S. Roberts, Special Duty, to J. T. Kirkman, A.A.A.G., August 6, 1867, AC, Letters Received, 1866-1867, reel 7.

<sup>22</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., June 21, 1867, AC, Letters Received, 1866-1867, reel 8; Charles F. Rand, Matagorda, to William H. Sinclair, A.A.G., July 27, 1866, AC, Letters Received, 1866-1867, reel 7; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., AC, May 31, 1868, Reports of Operations and Conditions, May-June, 1868, reel 26; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., July 1, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26. For Rand’s assignments to various places around the state, see Special Orders No. 64, April 17, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 128, October 27, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 145, December 9, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 45, April 17, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 70, July 1, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 81, July 31, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 100, November 21, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 54, September 12, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; and Special Orders No. 53, September 8, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1866-April 1869, reel 19.

his effectiveness. A previous Bureau agent characterized the white citizens in the district as “the most bitter, prejudicial, vindictive, malicious and unreliable” in Texas. Rand also noted his inability to travel the county safely since he had no military escort. To calm the situation, Rand prohibited the carrying of firearms within the city’s limits, an order that one local tough, John Henderson, brazenly disregarded. Rand confronted Henderson in the courthouse and ordered him to relinquish his gun. Henderson refused, and Rand ordered the sheriff, who the agent was talking with at the time, to arrest the man. But before the sheriff could move to arrest Henderson, he lunged at Rand with a club. The SAC, who had the use of only one arm due to an injury during the war, successfully deflected the blow, only to stare down the barrel of Henderson’s revolver. Defying his “invalid status,” Rand quickly dived into an empty room to evade the gun-wielding man. Henderson fled the scene. Adding insult to injury, Bureau officials informed Rand that “agents of the Bureau are not the proper authority to issue” a ban on firearms, for it would be impossible to enforce such an order and would “place the law abiding citizens who would obey the order at the mercy of the outlaws who would not.” Thus, they countermanded the order. Already frustrated because superiors had declined his request for a leave of absence because of ill health, Rand thought the way superiors treated him to be disrespectful, which only added to his impatience.<sup>23</sup>

Rand’s troubles were far from over, however. Throughout the summer of 1868,

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<sup>23</sup> DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., December 1, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; J. P. Richardson, A.A.A.G., to Charles F. Rand, Clarksville, February 14, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; C. S. Roberts, A.A.A.G., to Gregory Barrett, Tyler, August 28, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Charles F. Rand, Clarksville, to J. P. Richardson, A.A.A.G., February 4, 1868, AC, Letters Received, 1867-1869, reel 14; Richter, “This Blood-Thirsty Hole,” 64-66; Charles F. Rand, Clarksville, to C. S. Roberts, A.A.A.G., April 20, 1868, AC, Letters Received, 1867-1868, reel 14; Charles F. Rand, Clarksville, to C. S. Roberts, A.A.A.G., April 30, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25. For other examples of Bureau agents issuing firearms orders that Bureau officials countermanded, see Endorsement of letter from Edward Miller, Millican, to J. T. Kirkman, A.A.A.G., June 14, 1867, AC, Endorsements Sent, April 1867-September 1867, reel 2, and Endorsement of letter from James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., June 17, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2.

desperadoes routinely entered Clarksville and threatened white Unionists and freedmen. They even fired into Rand's room in hopes of killing him. Although fearful that he would be assassinated, Rand did not take these offenses lying down, and, invoking General U. S. Grant's statement during the Overland Campaign in the summer of 1864, promised superiors to "fight it out on that line." He would not have to wait long for that fight, because Ben Griffith, a notorious former Confederate cavalryman and scourge of previous field agents in Clarksville, arrived in the city with trouble on his mind. Having recently escaped from federal officials, Griffith returned to the city with hopes of exacting revenge. After bragging to a crowd of local whites that other outlaws waited for him outside town, Griffith, while leaving the town, robbed a black man of his revolver. The freedman escaped death by ducking down an alley. He ran back to town and reported the incident to Rand, who immediately gathered a posse to capture Griffin. They found the desperado a mile outside of town. When Rand yelled for him to halt, Griffith tried to escape. He did not get far, before the posse riddled the outlaw with bullets. Griffith's death only worsened the situation in the county for Rand, as the whites in the town turned their anger against the Bureau agent. They taunted him, dared him to come out of his office, and threatened his life daily. In order not to be burned out or assassinated at night, Rand had to sleep in a different place each night. The intrepid man was at a loss what to do. To stay in town, he noted, with no troops for sixty miles "and [Confederate] sympathizers all around, is to say the least very unpleasant." He reported that he packed up his papers and sent them to Marshall. "I am worn out from exhaustion occasioned by constant anxiety both day and night," Rand told superiors. Military officials dispatched troops to Clarksville, and under cover of night they sneaked Rand out of the "blood-thirsty hole." The military sent a detachment of troops to replace the departed Rand.<sup>24</sup>

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<sup>24</sup> Richter, "This Blood-Thirsty Hole," 66-70; Charles F. Rand, Clarksville, to Charles A. Vernou,

The Bureau agent at Liberty refused to be victimized. With his district plagued by a few outlaws who were the cause of many of his problems, A. H. Mayer proposed a plan to officials at headquarters to capture them. He wanted to hire a local who “knows every *bridle path*” in the county, and if he “should not be disposed to give the information a couple of gentlemen with Bayonets can use a strong argument to persuade him.” Because Liberty was near the Louisiana border, Mayer wanted some soldiers to be stationed on the Louisiana side in case the suspects made a run for the state line. To ensure the outlaws did not receive prior warning, Mayer kept secret when this plan was to happen. If the outlaws did escape, he proposed confiscating their herd of cattle to compensate the government for the expense of trying to capture them. Mayer greatly hoped the plan would be accepted and would work, for the “effect of these men being able to elude . . . arrest is having a bad effect.”<sup>25</sup>

As violence intensified, SACs looked for answers. For many there was only one, and H. S. Johnson best summed it up. “The *Spirit of Slavery* and a *love* of the ‘*Lost Cause*’ still animate and *lives* in about *half* [the] people,” he stated. “And as they *hate* the *government*, its *laws* and its *officials* they loose no opportunity to throw *every obstacle* in the way of their *administration*. And for *this* I know of *no Remedy* short of the *full* and *rigid* enforcement of the *congressional policy of Reconstruction*.” The “full and rigid enforcement” Johnson alluded to was the

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A.A.A.G., July 21, 1868, M752C, Letters Received, July-August, 1868, reel 60; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., August 2, 1868, M752C, Letters Received, July-December, 1868, reel 60; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Richter, “Revolver Rules the Day,” 317-319; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., July 18, 1868, M752C, Letters Received, July-December, 1868, reel 60; Endorsement of letter from DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., December 2, 1867, AC, Endorsements Sent, September 1867-May 1869, reel 2; William L. Richter, “‘Oh God, let Us Have Revenge’: Ben Griffith and His Family during the Civil War and Reconstruction,” *Arkansas Historical Quarterly* 57 (Autumn 1998): 274; Charles F. Rand, Marshall, to E. D. Morgan, U.S. Senator, September 11, 1868, AC, Letters Received, 1867-1869, reel 13; Tyler, ed., *New Handbook of Texas*, 5:496; Julius Hayden, Marshall, to Charles A. Vernou, A.A.A.G., September 2, 1868, AC, Letters Received, 1867-1869, reel 12.

<sup>25</sup> A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., August 6, 1867, AC, Letters Received, 1866-1867, reel 7.



application of greater force through an increase of troops. That enforcement, however, had its limits. By late 1867 demobilization was in full swing as many volunteer regiments mustered out. Regular army units were needed on the frontier to protect against Indian attacks. This left few remaining soldiers for the interior of the state. In addition, as in 1866, a few men in the field discovered that troops could cause more problems than they solved. More times than not, these problems involved a combination of soldiers, white rowdies, and alcohol. A good example of this occurred in Tyler in the summer of 1867. A lone Union soldier, out on the town at a local bar, was assaulted by a local tough with a knife. After a brief struggle, the soldier fell to the ground, and his attacker continued to stab him in the neck and throat. Within three hundred yards of the fray, the assistant subassistant commissioner DeWitt C. Brown immediately closed his office and ran to the scene.<sup>26</sup>

To his astonishment, Brown found the drunk white citizen literally trying to cut off the defenseless soldier's head. Although unarmed at the time he arrived at the scene, Brown fought off the knife-wielding attacker until help arrived. The Bureau man had the attacker confined in the county jail. After the event, Brown discovered that the town's people showed animosity toward him and "blame me for taking such an active part in [the] arrest." A few days later, armed citizens attempted to release the prisoner from confinement, but "did not deem it prudent after the guard had been doubled." This act was followed by another break-out attempt, but this one was by soldiers intent on revenge for their fallen comrade. Although their post commander thwarted their first attempt, the next night their persistence paid off, and they avenged their near dead comrade by sneaking out of camp, breaking into the jail, and killing the accused man.<sup>27</sup>

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<sup>26</sup> H. S. Johnson, Sumpter, to J. T. Kirkman, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23.

<sup>27</sup> Ibid.

Frustrated by actions of the troops at Tyler, Brown expressed his displeasure with them to Bureau officials. Brown was appointed to Tyler in late July 1867. At the time of Brown's appointment, the Tyler subdistrict already had two SACs, and Brown felt "ruled out." Furthermore, Brown, sick and incapable of riding on horseback, asked his fellow agents at Tyler, David L. Montgomery and Levi C. Bootes, to assist him in making a tour of the subdistrict, but they refused. What really frustrated him was Montgomery's advice that he should take a carriage. Brown expressed his anger with his co-agents and his frustration with the military to Bureau officials. "What is wanting here," he told them, "is a man to act in the capacity of Commander of the troops. The Bureau should be entirely distinct. Col. Bootes does not like the Bureau [and he] is negligent, incompetent, ignorant of order and frequently hasty in his decisions if not unjust." In addition, Brown accused Bootes of associating with vile Rebels in the community and hindering other field agents in the area from adjudicating disputes between whites and blacks.<sup>28</sup>

Edward Miller at Millican described an event involving a corporal (one of a half-dozen similar examples) who went to a plantation – at the request of the owner – and "stir[red] up his hands who were idling away [and] often neglected to obey [his] lawful orders." For punishment, the corporal "tied up" a laborer "because he had not worked well in the field," and the freedman remained bound for more than an hour. Believing that some of the soldiers in his vicinity had been "bribed by the planters to do [their] dirty work," Miller made a suggestion to superiors. "I would respectfully request," he wrote, that military commanders "be instructed to allow none of [their] enlisted men to act as nigger drivers and to tie up freedmen at the instance of the planters." According to Mathew Young, voter registration in Belton went on with few problems.

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<sup>28</sup> DeWitt C. Brown, Tyler, to [Headquarters], August 15, 1867, AC, Letters Received, 1867-1869, reel 16; Richter, "Revolver Rules the Day," 309.

He described his district as “remarkably quiet,” although he suspected the white community, like a snake in the grass, was waiting to strike. Not so quiet, however, was the detachment of troops, who acted “badly.” Young wrote that they were mutinous and disorderly, stole from the citizenry, and “continually [associated] with the Negro women of this place.” Young stated that rather than a “service to me in the discharge of the duties of my office,” these soldiers had become a “Drawback.” Military officials relieved nearly a dozen of the men on account of their actions, which left the next SAC with a problem. Charles Stiles, Young’s successor, noted that the remaining soldiers on duty were “totally unfit for duty,” because “Young drank and gambled with them,” a charge repeated to Bureau officials in a letter from local officials. By late 1867, however, after most of the troops were removed from the area, Stiles had changed his mind about their necessity. The agent was not certain whether it was that he discovered he could do the job alone, his fears of the white community were unjustified, or local officials did their job. Stiles believed with more certainty that if the three soldiers at Belton, who were left to assist with office duty and to enforce the agent’s orders, were removed, “the freedpeople would [still] be protected.”<sup>29</sup>

Although it appeared field personnel were helpless at times, they were never mere passive observers. They often made “practical and judicious suggestions” to “render the operations of the Bureau more efficient.” In 1867 Bureau officials at headquarters, realizing they

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<sup>29</sup> Edward Miller, Millican, to J. T. Kirkman, A.A.A.G., June 16, 1867, AC, Letters Received, 1866-1867, reel 7; Mathew Young, Belton, to J. T. Kirkman, A.A.A.G., August 22, 1867, AC, Letters Received, 1866-1867, reel 9; Charles Stiles, Belton, to Charles Garretson, A.A.A.G., October 24, 1867, AC, Letters Received, 1866-1867, reel 15; Charles Stiles, Belton, to J. P. Richardson, A.A.A.G., December 2, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Mathew Young, Belton, to J. T. Kirkman, A.A.A.G., August 6, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Mathew Young, Belton, to J. T. Kirkman, A.A.A.G., July 13, 1867, SAC, Letters Sent, July-December, 1867, reel 13; Mathew Young, Belton, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

may not have fully grasped the trials and tribulations faced daily by their subordinates, inserted a question on the pre-printed report forms each agent completed and sent in monthly (“Make such practical and judicious suggestions as will, in your opinion, render the operations of the Bureau more efficient, etc., etc.”). Despite the hostile white population, the lack of adequate supplies, and the daunting task faced by every SAC, Bureau men never missed an opportunity to suggest how to better the Freedmen’s Bureau as well as assist them with their duties. They frequently suggested appointing more clerks, reducing all subdistricts to no more than one county, assigning a detachment of cavalry to every subdistrict, or providing horses for the infantry. Whenever possible, military officials sent cavalry, but they never provided horses so that infantry troops could be mounted.<sup>30</sup>

The above mentioned were suggestions that, at one time or another, SACs put forth. Within their districts, agents faced problems that made their experiences unique. Many of their suggestions were specific, influenced by their personalities or particular problems within their subdistricts. A few men wanted Bureau officials either to issue an order or allow them to issue an order prohibiting the carrying of firearms within the limits of certain cities in their subdistricts. Headquarters in Galveston never gave such an order, and when some agents did so themselves, officials always countermanded it. In order to ensure those in the field performed their duties, James C. Devine, an agent and inspector for Bureau headquarters at Galveston, wanted “temporary inspectors whose business it will be to visit Agents at least once a month and

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<sup>30</sup> For examples of advice, see Endorsement of letter from A. G. Malloy, Marshall, to J. T. Kirkman, A.A.A.G., May 8, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2. For a few examples of requests for cavalry, see Endorsement of letter from Thomas Bailey, Marshall, to William H. Sinclair, A.A.G., May 16, 1866, SAC, Endorsements Sent, April 1866-September 1867, reel 2; and Endorsement of letter from J. B. Kiddoo to Maj. Gen. Absalom Baird, June 6, 1866, SAC, Endorsements Sent, April 1866-September 1867, reel 2; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; John Dix, Corpus Christi, to J. T. Kirkman, A.A.A.G., [August 1867], AC, Reports of Operations and Conditions, June-August, 1867, reel 21; and T. M. K. Smith, Nacogdoches, to Charles Garretson, October, 5, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

exercise a general surveillance over their actions.” Patrick F. Duggan relished the opportunity to opine. He enumerated four suggestions that covered almost two pages. Besides suggesting that a clerk be appointed to each subdistrict and proposing ways to improve the labor situation for the upcoming year, Duggan believed the quartermaster should “pay a little more attention” to “the communications I send him in regard to forage for my horse.” Since he assumed the duties of SAC, he wrote, “there has been a constant drain on my purse to pay expenses caused by the performance of my duties which would otherwise have been neglected . . . As I have already reported the full facts I will not mention them again.” If the forage situation would not or could not be remedied, Duggan suggested that superiors pay the Bureau agent immediately upon assuming his position and “thereby save [him] from being under pecuniary obligations to a class of people that look upon him as an instrument of oppression.” In Smith County, William Tweed Hartz wanted Bureau agents’ responsibilities streamlined. “To make the Bureau efficient,” he wrote, “the officer . . . should [be] unencumbered with other duties,” since “the supervision of [the freedpeople] will require all his time to produce any good results.” He believed that SACs should focus their attention on the “educational interests,” which he considered “of more importance than any other pertaining to the Bureau.” Horace Jewett also suggested streamlining agents’ duties for efficiency.<sup>31</sup>

N. H. Randlett, on the other hand, called for an increase in his duties. He wanted a portion of an adjacent subdistrict placed under his authority “on account of the great distances” the citizens in that area had to travel to the office of “their” Bureau agent, whose office was

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<sup>31</sup> James C. Devine, Inspector, to J. T. Kirkman, A.A.A.G., July 22, 1867, AC, Letters Received, 1866-1867, reel 5; Patrick F. Duggan, Columbia, to J. T. Kirkman, A.A.A.G., September 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; William Tweed Hartz, Tyler, to Charles A. Vernou, A.A.A.G., November 10, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Phineas Stevens, Hallettsville, to J. T. Kirkman, A.A.A.G., June 1, 1867, December 1866-May 1867, reel 20; Horace Jewett, Tyler, to Charles A. Vernou, A.A.A.G., December 1, 1868, AC, November-December, 1868, reel 28.

counties away. With considerable business from that section, Randlett believed it more efficient if the civilians in that part of the county travelled to his office, which was much closer. Charles E. Culver, who admitted to neglecting some responsibilities for want of help, suggested all troops stationed within agents' subdistricts be placed under their command. "I would respectfully suggest," Culver wrote, "that all agents having but few men should be allowed to move from one point to another with them." Byron Porter wanted Bureau officials to issue an order calling attention to the state's law exempting certain property from forced sale. According to Porter, the provisions of the law have been disregarded "when applied to freedmen." John M. Morrison believed superiors needed to ensure their subordinates made "an effort to get up schools for the freed people." Although he had difficulty with the chain-of-command system regarding the use of troops, Anthony M. Bryant believed that the Freedmen's Bureau ran smoothly, with little need for improvement. "I have no suggestions to make as enunciated," Bryant wrote, "The wise policy adopted by the department if carried out will secure the Freed people in all their rights." Suggestions from field agents to improve the Freedmen's Bureau's overall effectiveness in protecting the freedmen continued to the agency's end. In October 1868 Charles F. Rand stated that the Freedmen's Bureau could effectively arrest the increasing violence if military officials placed a bounty on the heads of outlaws. E. C. Hentig oversaw a very large district that comprised four counties. The Sherman Bureau agent thought the size of his district compromised his ability to protect the freedpeople. "I would recommend that this sub District be reduced in size," he wrote, "as it is too large for one agent to properly guard the interests of the freed people."<sup>32</sup>

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<sup>32</sup> N. H. Randlett, Anderson, to J. P. Richardson, A.A.A.G., December 4, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., September 1, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., November 2, 1867, AC, Reports of Operations and Conditions, September-October,

Of all the problems that Bureau agents wanted to remedy during this time, the labor system topped their list. Throughout the late summer and into the early winter of 1867, Bureau men reported problems with the labor situation in Texas. Despite Griffin's policy changes earlier in the year, some difficulties still existed (e.g., employers refusing to pay their workers). Despite some progress, some employers still refused to pay the freedmen their wages. Part of Griffin's new order was to change the labor regulations set down by his predecessor and bring back some kind of "natural and nominal conditions of capital and of free labor" in Texas. Field agents were to allow "all labor . . . to offer itself in the market upon the best terms it can obtain." Contracts could not exceed one year, but local officials, such as justices of the peace, county clerks, county judges, and public notaries, as well as Bureau agents had the authority to approve labor contracts. Two copies of the contract had to be filed with the Freedmen's Bureau, one with the SAC and one at Bureau headquarters in Galveston. Although he delegated responsibilities to civil authorities, Griffin reminded them that agents still retained the authority to abrogate any contract they deemed "manifestly unjust."<sup>33</sup>

Furthermore, Griffin authorized all civil disputes that involved freedpersons to go first to the civil courts, except "all disputes [and] settlements arising from contracts for labor," something he "thought . . . the Bureau . . . [should] control." SACs were to continue to act as adjunct county judges. In the end, Griffin wanted justice based more on law, rather than Bureau agents' personal opinions. The assistant commissioner believed that his field subordinates "were

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1867, reel 22; John M. Morrison, Palestine, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, June-August, 1867, reel 21; Anthony M. Bryant, Sherman, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; E. C. Hentig, Sherman, to C. S. Roberts, A.A.A.G., October 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Charles F. Rand, Marlin, to Charles A. Vernou, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October 1868, reel 27.

<sup>33</sup> General Orders No. 4, January 30, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

constantly coming in collision with the civil authorities and contempt was thus thrown upon the National Government . . . [for] the want of tact and judgment on [their] part . . . [A]ccording to the past practice in this state they being clothed with almost unlimited judicial powers, each decided cases in accordance with their own peculiar judgment and experience without any uniform guiding principles.” He also realized the limitations and constraints on the military to provide protection and justice for those agents in the field. Labor contracts notwithstanding, Griffin wanted his subordinates to act as advisers for the freedmen and also observe the court proceedings for impartiality. If an agent believed the civil court rendered biased justice, he could overrule its decision or refer it to superiors for review. The Freedmen’s Bureau’s role in the labor system was being transferred to local officials, with Bureau agents intervening less and less to resolve disputes between freedpeople and their employers.<sup>34</sup>

The same problems that plagued labor policies and burdened field personnel under Kiddoo also remained under Griffin’s plan, despite all his attempts to remedy them. Phineas Stevens wrote that planters in Hallettsville refused to work another year with freedmen because of their inefficiency and irresponsible ways. Copies of contracts were not made and filed as required, and some SACs unnecessarily seized cotton, regardless if there was a complaint by a freedpeople. William Garretson reported that the former slaves in his district disrupted the labor situation by organizing a paramilitary unit, which greatly worried the whites in his district. “I advised [the freedmen] to attend to the requirements of their contracts,” he wrote officials at headquarters, “and that if any military demonstrations were necessary, they would be made by

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<sup>34</sup> Charles Griffin to O. O. Howard, July 1, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, February 18, 1867, M752C, Letters Received, January-May, 1867, reel 44; General Orders No. 5, February 2, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, February 9, 1867, M752C, Letters Received, January-May, 1867, reel 42; Richter, “Who Was the Real Head of the Texas Freedmen’s Bureau?” 151; Foner, *Reconstruction*, 166.



the U.S. authorities and that they should not be led away from their duties by any foolish representations that might be made by designing fanatics as they could (certainly) result in no good to themselves.” Byron Porter reported that he had found a great deal of “knavery and corruption in the dealings of planters and merchants” toward freedpeople. “It is not an uncommon thing for merchants to give planters a large percent on all the trade they send them,” Porter observed. “This percent ranges from 10 to 25 and of course a corresponding increase of price is put on the goods. Some planters get the things for their hands themselves and then charge them 25 to 100 percent more than the merchants charged them saying all the time that they are charging just the store prices. The negro feels that he is cheated in some manner but can not tell how. He knows that he made a good crop sold it at a fair price [and] has not been extravagant, but come out in debt.”<sup>35</sup>

At the same time he delegated more power to local authorities, Griffin also centralized a part of the labor process. To reduce the “knavery and corruption” described by Porter, the assistant commissioner proposed a way to ensure that the freedpeople received their wages. Acknowledging that many black workers still had not received their wages for 1865 and 1866, Griffin attributed this to the unwise policies of his predecessors. Under Griffin’s tenure, freedpeople would be dealt with fairly. This was to be achieved through a two part plan. First and foremost, the Bureau chief issued General Orders No. 11. In it, the “accounts against freemen will not be allowed to constitute a lien upon” their portion of the crop (this, however, did not apply if the worker agreed in the contract to a lien on his share and a SAC approved it).

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<sup>35</sup> William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 26, 1867, AC, Letters Received, 1866-1867, reel 5; Byron Porter, Bastrop, to J. T. Kirkman, A.A.A.G., September 5, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Phineas Stevens, Hallettsville, to Charles Garretson, A.A.A.G., September 2, 1867, AC, June-August, 1867, reel 21; J. T. Kirkman, A.A.A.G., to [All SACs], June 21, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; L. H. Warren, Houston, to Alfred T. Manning, Unassigned, March 1, 1867, AC, Letters Received, 1866-1867, reel 9.

This, Griffin believed, would greatly limit the desire by employers to charge their workers for everything, thus leaving the freedpeople in debt at the end of the year. Field agents were to “urge . . . the freedmen” to settle all their debts upon the sale of their crop. Second, Griffin proposed a single merchant house, A. Ruttkey & Co., to handle all the crops for the freedpeople in Texas. He wanted all field personnel, “for the pecuniary security of the Freedmen[,] to recommend in all cases that they consign their crops.” According to Griffin, this merchant house would not have a monopoly on the freedmen’s crops, but would set a minimum and fair price, which would cause all other merchant houses to meet that standard. In effect, with the Freedmen’s Bureau’s endorsement of this particular house, which would greatly influence the freedpeople’s choice at selling time, Griffin hoped to force all other merchants into honest and fair practice toward the freedmen or risk going out of business.<sup>36</sup>

Some believed General Orders No. 11, the no-lien policy, necessary. “Many accounts of last year are brought in by the planters themselves & squaring up their accounts & balancing their books occupies a good deal of my time,” reported Charles E. Culver. “I am alone called upon to [go] over to plantations to see the cotton and corn is equally divided.” Culver also noted that civil authorities argued about whether an attachment constituted a lien. This way they could possibly evade Griffin’s order. In short, there “is much discontent concerning Genl. Order No. 11 & as I rigidly enforce it, I am not much esteemed.” Others also wrote about the problems the lien order caused for the freedpeople and planters and the confusion created for those agents in the field. In fact, officials at headquarters admitted that there were “numerous applications from

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<sup>36</sup> General Orders No. 11, July 8, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Circular No. 7, September 3, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Charles Griffin to O. O. Howard, June 12, 1867, M752C, Letters Received, June-August, 1867, reel 46; Charles Griffin to O. O. Howard, June 17, 1867, M752C, Letters Received, June-August, 1867, reel 48; General Orders No. 18, November 7, 1867, AC, Issuances and Reports of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

Sub Ass. Commrs throughout the state for explanation of” the order. Due to the policy, planters and merchants now refused to extend credit to the freedpeople, believing that they would “take advantage of [the order] to the full.” Edward W. Whittemore at Seguin wanted to know if freedmen could voluntarily bind their crops as a lien. Superiors informed him that so long as they would not be taken advantage of they could sign a contract “binding their crops [as] payment for their debts, or for advance.” J. H. Bradford at Centreville also expressed confusion about how to enforce Griffin’s lien order.<sup>37</sup>

Some field agents believed Griffin’s labor policies, which were supposed to create self-sufficiency in the freed community, actually created dependency on the government. “The main object of the Bureau in my opinion [is] to enable the Freedmen to take care of themselves as soon as possible,” wrote Edward Collins, a staunch proponent of unfettered capitalism. He believed this could be achieved through monthly wages rather than shares. Collins told Bureau officials that the “whole system of contract labor” and the lien policy instituted by Griffin was “a complete failure.” He wanted G. O. No. 11 revoked because it allowed too many instances of “breach of contract” by freedmen. Although acknowledging faults by the planters, the Bureau man also reminded Bureau officials that “the employer should certainly have some protection for his capital invested on the strength of the contract.” Collins continued to advocate that the Freedmen’s Bureau make the former slaves more self-sufficient for the remainder of his tenure as a subassistant commissioner. He also continued to criticize what he saw as “positive injury” to them. “They depend upon the Government for protection where they ought to protect

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<sup>37</sup> Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Thomas Affleck to Charles Griffin, August 26, 1867, AC, Letters Received, 1866-1867, reel 4; Endorsement of letter from Edward W. Whittemore, Seguin, to J. T. Kirkman, A.A.A.G., November 2, 1867, AC, Endorsements Sent, September 1867-May 1869, reel 2; Endorsement of letter from J. H. Bradford, Centreville, to Charles Garretson, A.A.A.G., September 11, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; J. H. Bradford, Centreville, to J. T. Kirkman, A.A.A.G., September 11, 1867, AC, Letters Received, 1866-1867, reel 5.

themselves,” Collins wrote in early 1868, “and are perfectly willing to remain in this state of dependence so long as it eases the exercise of brain or muscle.”<sup>38</sup>

Edwin Finch also wrote about the problems created by the lien law. “I am seriously inclined to think the order forbidding any Lien upon crops of Freedmen for anything advanced during the year,” he wrote, “is calculated to discourage many planters from leasing their lands for a portion of the crop. For it not unfrequently [sic] happens that the Freedmen cannot furnish seed . . . & if his employer does not advance it he cannot proceed with the working of the crops.” John Dix wanted to “allow the colored people to make their own bargains, and manage their own affairs in their own way, without interference.” Dix still favored protection against injustice and advice when freedmen asked for it. Beyond that, he stated, Bureau agents should let “the freedpeople . . . manage their own affairs [and] make them more self reliant and independent.” At Boston, William G. Kirkman, an ardent supporter of a stricter Reconstruction, had problems with what the order might be teaching the freedpeople. “There is no doubt [that] the freedmen have been injudicious and done wrong in running themselves in debt so heavily,” he wrote. What the former slave “should be learning [was] that they, when contracting debts, have not only to contract them, but pay them.” Kirkman also requested that Bureau officials institute a pre-written contract for 1868 that would not only bind the employer but the employee, a contract that stipulated wages to be paid every three months and a list of articles granted to the freedmen by the planters that would require a lien of one-third of the hand’s crops.<sup>39</sup>

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<sup>38</sup> Edwin Finch, Milford, to J. T. Kirkman, A.A.A.G., September 2, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; John Dix, Corpus Christi, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Edward Collins, Brenham, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24.

<sup>39</sup> Edward Collins, Brenham, to J. T. Kirkman, A.A.A.G., August 3, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Edward Collins, Brenham, to J. T. Kirkman, A.A.A.G., December 2, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Edward Collins, Brenham, to [Charles Griffin], June 30, 1867, AC, June-August, 1867, reel 21; William G. Kirkman, Boston, to J. P. Richardson,

Other subassistant commissioners were concerned about granting a monopoly to A. Ruttkey & Co., the company that Griffin wanted them to recommend for the freedmen's crops. Charles E. Culver informed superiors that planters were quite angry with the Freedmen's Bureau's recommendation of Ruttkey. When he told whites that Griffin had recommended that merchant house to prevent the freedmen from being swindled, Culver reported that the white "citizens endeavored to get up an insurrection." The Bureau man, however, suspected that this talk of insurrection was nothing more than a bluff and that the citizens "are mad because I won't drink & won't accept Bribes & they employ a mercenary to trump up *false* charges & aggravate mountains out of mole hills." Freedmen's Bureau officials in Washington, D.C., shared these concerns of some agents in the field. Commissioner Howard worried about the "propriety of giving a monopoly to any one man (though he may be reliable) to receive the produce and get it to market." He believed it better "to leave the trade open to honest and fair competition," but Howard ultimately deferred to Griffin's judgment.<sup>40</sup>

Realizing their limitations in oversight of field personnel, Bureau officials wanted their subordinates to help "police" their fellow agents. Each field agent could report any other agent who neglected his duties or abused the freedmen. Bureau men were never shy in disclosing to superiors those who, through their actions, failed the freedmen. In fact, Bureau agents had a vested interest in purging the Freedmen's Bureau of troublesome, incompetent, and derelict agents. Not only did such men give all other Bureau men a bad name, but they also insulted those who took their duties as subassistant commissioner seriously. J. H. Bradford warned

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A.A.A.G., November 14, 1867, SAC, Letters Sent, July-December, 1867, reel 13; William G. Kirkman, Boston, to J. P. Richardson, A.A.A.G., November 14, 1867, AC, Letters Received, 1867-1869, reel 13.

<sup>40</sup> Charles E. Culver, Cotton Gin, Charles Garretson, A.A.A.G., October 26, 1867, AC, Letters Received, 1867-1869, reel 10; O. O. Howard to Charles Griffin, June 25, 1867, AC, Letters Received, 1866-1867, reel 6; O. O. Howard to Charles Griffin, July 2, 1867, M742C, Letters Sent, January 2-September 30, 1867, reel 3; O. O. Howard to Charles Griffin, July 6, 1867, AC, Letters Received, 1866-1867, reel 6.

superiors about H. S. Johnson, as “there are many reports that he is corrupt in his official action.” Bradford’s report prompted officials to investigate Johnson and discover his corruption (see Chapter 6). Anthony M. Bryant helped prompt the investigation of William H. Horton at Dallas. Although he approached most accusations by whites with skepticism, Bryant was “fully satisfied in my own mind [about] the source from which the charge originated.” A few months earlier, Bryant also raised concerns about Hardin Hart, a scalawag judge and SAC at Greenville. He believed Hart might be neglecting his duties. “Hart is a truly loyal citizen,” Bryant stated, “but I fear that he is not giving the attention to the interest of the freed people that their interest[s] demand.” An investigation confirmed that Hart, due to his advanced age, was less than effective, and officials at headquarters dismissed him.<sup>41</sup>

After arresting several men, C. S. Roberts turned them over to the post commander and former Bureau agent at Mount Pleasant, Ira W. Claflin. Unfortunately, Claflin released the prisoners for reasons he did not disclose. “I cannot help feeling outraged at this manner of treatment by Maj. Claflin,” Roberts wrote, “I consider it my duty . . . to call the attention of the Genl Comd to Maj Ira H. Claflin’s conduct. He is constantly under the influence of whiskey much of the time drunk, very often publicly & grossly intoxicated.” Roberts continued that Claflin “is utterly and entirely worthless at present [and] his conduct is a public topic for conversation.” Before Bureau and military officials could do anything about Claflin’s alleged drinking, however, he died of a disease, believed to be meningitis. Ironically, Claflin supposedly contracted the disease while he slept in a tent, which was exposed to the elements, so he could be

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<sup>41</sup> J. H. Bradford, Centreville, to Charles Garretson, A.A.A.G., October 7, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Anthony M. Bryant, Sherman, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Anthony M. Bryant, Sherman, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Anthony M. Bryant, Sherman, to J. T. Kirkman, A.A.A.G., September 11, 1867, AC, Letters Received, 1867-1869, reel 10; Richter, “This Blood-Thirsty Hole,” 54-56.

nearer to the city's jail because threats were made to liberate some of the prisoners held there.<sup>42</sup>

Not all these indictments against subassistant commissioners were substantiated. Agents sometimes based their accusations on hearsay, primarily from the former slaves who could easily accuse an agent of being a planter tool if he rendered an unfavorable but fair decision against them or from white Texans who had every reason to want to get "an effective" agent removed. James P. Butler at Huntsville, for example, relayed information to superiors that he obtained from freedmen about the Bureau men in Leon and Polk Counties. The freedpeople claimed these men were "Southern Bureaus." J. H. Bradford, the commanding officer of the 26<sup>th</sup> Infantry Regiment, and Mortimer H. Goddin, who for his many faults as SAC could not be called a planter tool, were the Bureau agents in those counties at the time of the accusations. Since officials at headquarters realized these claims were baseless, they did nothing and dismissed the charges without an investigation.<sup>43</sup>

John Williamson had difficulties with the way Fred W. Reinhard, the SAC at Centreville, ran his district. Williamson was appointed to assist the Prussian-born Reinhard in Centreville. He believed Reinhard "puts too much confidence in men," which allowed many known Rebels to continue their obstructive ways. Williamson cited no specifics against Reinhard, however. These accusations might have stemmed from the fact that the two men really did not have a close relationship. "I would state that there is a difference shown to parties in reference to [the] Freedmen," Williamson wrote superiors, "everything is kept dark to me in fact [Reinhard] give me no chance to do anything or see what is going on." Bureau officials thought little of these accusations against Reinhard, who some at headquarters considered one of the best Bureau

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<sup>42</sup> C. S. Roberts, Special Duty, to J. T. Kirkman, A.A.A.G., August 31, 1867, AC, Letters Received, 1867-1869, reel 14; Ira W. Claflin File, Pension Record.

<sup>43</sup> James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., [August 1867] AC, Reports of Operations and Conditions, June-August, 1867, reel 21.

agents in Texas. In fact, they did not even respond to Williamson's repeated letters. The problems between the two were soon rendered moot when Williamson was reassigned to Corsicana. Unfortunately, he died shortly after assuming the post when a horse fell on him, causing massive internal injuries.<sup>44</sup>

As Bureau men exposed or accused other Bureau men of alleged wrongdoings – whether substantiated or not – disputes and squabbles naturally developed. For example, Liberty Bureau agent A. H. Mayer feuded for many months with his predecessor, former agent J. Orville Shelby. Upon entering the post at Liberty in the summer of 1866, Mayer found conditions unsatisfactory. “When I arrived in this village,” he wrote, “I found what may be deemed and styled a perfect chaos; order and discipline had left its Throne. Freedmen were running wild, Contracts of all kinds without intent or purpose afloat, Employers dissatisfied, *all wrong, all wrong*, and I was called upon & expected to make *all wrong, Right*.” Mayer blamed Shelby for much of the chaos in Liberty County. Through a frantic work schedule that comprised tours, speeches, and crop seizures, Mayer soon created order where chaos once existed. His problems with Shelby, however, were far from over, for Mayer soon discovered that his predecessor was still “acting” like a subassistant commissioner, “making contacts for *himself* and *others*.” Moreover, continued Mayer, Shelby had been trying “to convince the freedmen that he is the man to whom [they] must look up to, and that *I* am only subordinate *to him*.” According to Mayer, the former Bureau agent had threatened the freedmen who worked for him that he would “drive them off” if

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<sup>44</sup> John Williamson, Centreville, to J. T. Kirkman, A.A.A.G., March 19, 1867, AC, Letters Received, 1866-1867, reel 9; John Williamson, Centreville, to J. T. Kirkman, A.A.A.G., April 3, 1867, Letters Received, 1866-1867, reel 9; John L. Miller to [Headquarters], May 29, 1867, AC, Letters Received, 1866-1867, reel 7; Edward Miller, Millican, to J. T. Kirkman, A.A.A.G., June 15, 1867, AC, Letters Received, 1866-1867, reel 7; Charles Griffin to O. O. Howard, June 15, 1867, AC, Letters Sent, March 1867-May 1869, reel 1.



they “went near the office of the Bureau.”<sup>45</sup>

Shelby had not yet settled with his hands for the previous year. When complaints to that effect reached his office, Mayer issued a special order to Shelby, which the former agent simply ignored. This infuriated Mayer. “Now what am I to do?” he cried out, “make it a personal matter, go out & slap Shelby’s face, then shoot him that will accomplish the object in view. The indignity is to the Bureau.” Mayer wanted to take a guard and fine and arrest the delinquent former agent for disobeying the order. After that, Mayer would make Shelby pay his workers, fine him again for violating their contracts, and send him to prison for a year. Mayer’s troubles soon increased as voter registration commenced. The Bureau men had questions about the board of registrars for Liberty County. When Mayer recommended their removal, one of the registrars, Ira P. Pedigo, a friend of Shelby and also a former SAC in Texas, wrote a letter to military officials. In it, he claimed that Mayer was angry that he “was not consulted in regard to the formation of the Board.” With information provided by Shelby, Pedigo further claimed that the Liberty Bureau agent had received “a large amount of money as bribes. . . .” Superiors sent the letter to Mayer wanting his explanation. The “accusations are false in every particular,” he responded. “I am respected throughout my District (and out of it) by both Black & white from the fact that no man has it in his power to say that he ever paid or gave me money or anything else directly or indirectly.” To strengthen his point, he requested the opportunity to defend himself before a military commission. His superiors must have been satisfied with Mayer’s

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<sup>45</sup> A. H. Mayer, Liberty, to J. B. Kiddoo, December 27, 1866, AC, Letters Received, 1866-1867, reel 7; A. H. Mayer, Liberty, to J. B. Kiddoo, January 2, 1867, AC, Letters Received, 1866-1867, reel 7; Statement of A. H. Mayer, July 31, 1867, AC, Letters Received, 1866-1867, reel 7; Special Orders No. 98, July 10, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19. The last two Bureau agents at Victoria also had a less than cordial relationship. Hiram Clark replaced William J. Neely in late 1868. This greatly angered Neely, who wrote to Bureau headquarters accusing Clark of being “a mere cipher as agent” (See William J. Neely to [Charles A. Vernou, A.A.A.G.], October 20, 1868, AC, Letters Received, 1867-1869, reel 14).

defense and willingness to be judged by a military commission because no further mention of the incident can be found in the records. Mayer remained with the Freedmen's Bureau in Texas until early 1868, when he asked to be relieved. In fact, then Assistant Commissioner Reynolds thanked Mayer "for [the way] he has discharged his duties."<sup>46</sup>

The usual relationship between Bureau agents or former Bureau men was nothing like that between Shelby and Mayer. Far more examples exist of Bureau men cooperating and supporting one another than to the contrary. These men had a commonality, a shared experience. Those in the field understood and respected each others' plight, and they were willing to render assistance when asked. The trials and tribulations bonded men and differentiated them from personnel at headquarters. Bureau agents investigated claims by freedmen, even though they might live in another's subdistrict. Agents never hesitated to call on another agent for help, whether it was in assisting the search for freedpeople's family members separated during slavery or to find whites who fled the county with an apprenticed child. Cooperation even extended beyond state boundaries. Those stationed in northeastern Texas or along the Louisiana and Arkansas borders cooperated to bring to justice the many outlaws that plagued all their subdistricts. "I returned from [Arkansas] last evening," wrote William G. Kirkman at Boston, "when I went to . . . consult with Lt. Willis the Bureau Agent at Rocky Comfort . . . to secure his co-operation in endeavors to arrest the desperadoes that infest [this region]."<sup>47</sup>

Bureau agents not only had to worry about white violence but also about disease,

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<sup>46</sup> A. H. Mayer, Liberty, to J. T. Kirkman, July 30, 1867, AC, Letters Received, 1866-1867, reel 7; Ira P. Pedigo to N. Prime, Secretary, Office of Civil Affairs, August 20, 1867, AC, Letters Received, 1867-1869, reel 14; A. H. Mayer, Liberty, to J. P. Richardson, A.A.A.G., December 2, 1867, AC, Letters Received, 1867-1869, reel 14; Special Orders No. 9, February 17, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 13, July 29, 1867, AC, Letters Received, 1866-1867, reel 7

<sup>47</sup> William G. Kirkman, Boston, to Charles Garretson, A.A.A.G., October 26, 1867, AC, Letters Received, 1867-1869, reel 13. For instances of Bureau agents in northeast Texas cooperating with Bureau agents in Arkansas, see Richter, "A Dear Little Job," 193; and Richter, "Revolver Rules the Day!" 316-317.

especially “Yellow Jack.” Throughout the 19<sup>th</sup> century, yellow fever routinely ravaged Texas coastal communities. A particularly bad epidemic occurred in late 1867. The epidemic struck fear in Texans and greatly disrupted Freedmen’s Bureau operations. Due to the disease’s presence in the summer and fall of 1867, Bureau schools had to close because officials were fearful that attendance could spread the epidemic, or students simply stopped attending for fear of contracting the disease. The deaths of many teachers and even more students seriously affected the school’s operations. The epidemic also disrupted the operations of field agents. George Lancaster in Hempstead had to close his office and cease operations from September through November of 1867. Edward Miller reported the epidemic had disrupted everything in Bryan City, Brazos County. Things got so bad that Miller had to send his wife out of the county, fearing for her safety. With dozens dying in his subdistrict, Miller dubbed it the village of the dead. SACs in the counties of Walker, Anderson, and Galveston reported chaotic conditions due to the epidemic. In fact, one in twenty residents of Galveston would die from the disease. The Bureau man at Columbus wrote that so many citizens had left the city that it was a virtual ghost town. William M. Van Horn in Harris County discovered that citizens refused to travel out of their homes. “I have considerable difficulty in performing my duty on account of the prevailing epidemic,” he admitted to superiors. “In most instances the parties who have been ordered to appear before me have refused to do so, unless compelled by force.” In his report for September 1867, Isaac Johnson tersely wrote to Bureau officials that the only difficulty he labored under was the epidemic. During the yellow fever scourge, Bureau men also found it difficult to get troops for protection or to get them to assist in enforcing their rulings. When agents requested assistance from the military, post commanders declined to send any troops, fearful of transmitting the disease.<sup>48</sup>

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<sup>48</sup> William M. Van Horn, Houston, to J. P. Richardson, A.A.A.G., November, 26, 1867, AC, Reports of

“[T]he Fever has made its appearance in our community in a very malignant form,” wrote A. H. Mayer in Liberty. With sixteen deaths, he believed his area was deadlier than Houston or Galveston, and he reported that the lack of food and fear of death have caused “a general panic.” In addition to the general disruption of their duties, Bureau men also incurred great personal expense due to the epidemic. They had to pay for their own medical treatment, especially when army doctors contracted the illness, which caused them to use civilian doctors. On several occasions, they even had to pay for the medical treatment of civilians, including the burial expenses of freedmen who had died from the disease. In short, Bureau men had to protect those in their districts from all threats. In the chaos of late 1867, however, some agents shirked this responsibility. For example, Enon M. Harris, the agent at Columbus, left a trail of corruption and neglect in his wake that was not uncovered until late 1868.<sup>49</sup>

The incident that marked his undoing involved the death of a freedmen’s school teacher. While on an inspection tour of the counties in southeast Texas, William H. Sinclair interviewed the widow of James J. Jameson, a freedmen’s school teacher in Columbus who had died of

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Operations and Conditions, September-October, 1867, reel 22; George Lancaster, Hempstead, to J. T. Kirkman, A.A.A.G., [September 1867], AC, Reports of Operations and Conditions, June-August, 1867, reel 21; George Lancaster, Hempstead, to Charles Garretson, A.A.A.G., October 31, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; George Lancaster, Hempstead, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, June-August, 1867, reel 21; Edward Miller, Bryan City, to Charles Garretson, A.A.A.G., October 5, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; Edward Miller, Bryan City, to William H. Sinclair, A.A.G., September 23, 1867, AC, Letters Received, 1867-1869; James P. Butler, Huntsville, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; E. M. Wheelock, Galveston, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; E. M. Wheelock, Galveston, to J. P. Richardson, A.A.A.G., October 31, 1867, SUP, Letters Received, 1866-1867, reel 4; N. H. Randlett, Anderson, to Charles Garretson, A.A.A.G., September 28, 1867, AC, Letters Received, 1867-1869, reel 14; Anne L. Buckhorn, “The Yellow Fever Epidemic of 1867 in Galveston,” (Master’s Thesis, University of Houston, 1962), vi, 43-44, 47-49; Isaac Johnson, La Grange, to J. P. Richardson, A.A.A.G., November 4, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; *Flake’s Daily Bulletin*, September 20, 1867; A. H. Mayer, Liberty, to J. D. O’Connell, Houston, September 1, 1867, AC, Letters Received, 1867-1869, reel 13.

<sup>49</sup> A. H. Mayer, Liberty, to Charles Garretson, A.A.A.G., October, 24, 1867, AC, Letters Received, 1867-1869, reel 13; Special Orders No. 101, August 18, 1866, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

yellow fever. Mrs. Jameson, also a former freedmen's school teacher in Columbus who now lived in Galveston on public charity, claimed that Harris had murdered her husband, and she wanted him brought to justice. She told Sinclair that Harris did not provide medical assistance or call for a doctor after both of them had contracted the disease. According to Mrs. Jameson, her husband died a slow, agonizing death because of the lack of medical attention. But for the actions of a few freedpeople, Mrs. Jameson stated, she too would have died. Still "delirious" with the disease, Mrs. Jameson claimed that her caretakers had loaded her in a wagon and took her to see the Bureau agent. Harris, according to the lady, took her to his house and put her in a room with a pillow and blanket. When he thought she was almost dead, she claimed, Harris removed the pillow. This story moved Sinclair to the point of anger. "I have not written one half [of what] she told me," reported Sinclair in his letter to superiors, and if "one half [of the accusations] were true he would be a disgrace to mankind."<sup>50</sup>

Harris, an agent who frequently clashed with the Bureau teachers in his subdistrict during his eighteen-month tenure with the organization, vehemently denied the woman's story. He said he did all he could, especially considering the circumstances. Short of calling her a liar, Harris insinuated to Sinclair that Mrs. Jameson was an unstable and crazy woman. This further angered Sinclair, who, in fact, came away from his conversation with Harris not completely sure of the Bureau man's truthfulness and innocence and stunned at how this man had "traduced the character" of this woman and her dead husband. "I know them both [the Jamesons]," Sinclair reported, "I would as unhesitatingly vouch for their chastity as I would for my own sister." Bureau officials ordered Sinclair to investigate Harris' actions. He discovered a slough of

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<sup>50</sup> William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., December 8, 1867, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., January 30, 1868, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, A.A.G., to O. O. Howard, September 18, 1867, AC, Letters Received, 1867-1869, reel 15; Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 143-144.

corruption and inefficiency. According to Sinclair, Harris, instead of being the teacher's "friend and defender," had been "the reverse." He also discovered that Harris had stolen money from the Freedmen's Bureau school and believed that he was trying to steal money through false medical bills. Sinclair recommended that Harris be removed immediately, which headquarters officials did.<sup>51</sup>

After his dismissal, Harris vowed revenge against Sinclair. The former SAC blamed Sinclair for his removal and began to spread rumors about the inspector through a local newspaper. In an article that appeared in the *Galveston Republican*, Harris accused Sinclair and his brother-in-law, E. C. Bartholomew, a clerk at Bureau headquarters in Texas, to be "part of a cabal of evil men who, under the coat of philanthropy, had worked to destroy the Bureau's image." In short, the former agent stated that Sinclair was trying to undermine the Reconstruction process in Texas. According to the accusations, Charles Griffin had discovered what Sinclair was doing, and but for his death from yellow fever, Griffin would have dismissed the inspector from the Freedmen's Bureau. These accusations came to the attention of Commissioner Howard, who wrote to new Assistant Commissioner J. J. Reynolds for a report. After an investigation, and testimony from influential Texans like Governor E. M. Pease, who defended Sinclair, Reynolds wrote the commissioner, dispelling "any rumors that Sinclair is

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<sup>51</sup> William H. Sinclair, A.A.G., to J. P. Richardson, A.A.A.G., December 8, 1867, AC, Letters Received, 1867-1869, reel 15; Sinclair, "Who Was the Real Head of the Freedmen's Bureau?" 144; Stein, "Consider the Lily," 13; Louis W. Stevenson, Columbus, to J. P. Richardson, A.A.A.G., March 20, 1868, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., December 5, 1867, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to O. O. Howard, April 1, 1868, M752C, Letters Received, January-June, 1868, reel 56; Endorsement of letter from Enon M. Harris, Columbus, to J. P. Richardson, A.A.A.G., November 21, 1867, AC, Endorsements Sent, March 1867-May 1869, reel 2; Special Orders No. 8, February 1, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

trying to defeat Reconstruction in the state.”<sup>52</sup>

The Freedmen’s Bureau did not go unscathed during the yellow fever epidemic. Field agents not only paid with their money, but a few paid with their lives. The disease prostrated many subassistant commissioners and killed six. J. D. O’Connell and L. H. Warren at Houston, Sam W. Black at Hempstead, Augustus B. Bonnaffon at Indianola, Patrick F. Duggan at Columbia, and James C. Devine at Huntsville all died from the disease while on duty (the disease even claimed former Bureau agent William Garretson, although he was no longer with the agency Bureau at the time). Some Bureau men felt beholden to those individuals, who although not SACs, “shared the line of fire with them.” For example, James P. Butler established a relationship with the supervising voter registrar in his district. When that man died from yellow fever, Butler took it upon himself to lobby for the pay owed to the dead man to be paid to his widow. This man “deserves credit for the fidelity manifested by him in remaining to complete the report, after the balance of the [registration] board [had] deserted,” Butler wrote. “He leaves a wife in poor pecuniary circumstances and it would be a great favor for her to receive the amount due him for his services.”<sup>53</sup>

To ward off an even worse epidemic, Bureau men sought to battle the disease directly. Those at headquarters, in short, wanted agents to “render any assistance in your power to prevent the entrance or spread of this disease.” Krutz had engaged in health and sanitation measures before, especially with cholera and at port cities. But before and during the yellow fever

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<sup>52</sup> Richter, “Who Was the Real Head of the Texas Freedmen’s Bureau?” 144-145; J. J. Reynolds to O. O. Howard, April 14, 1868, M752C, Letters Received, January-June, 1868, reel 56; William H. Sinclair, Inspector, to E. M. Pease, April 14, 1868, M752C, Letters Received, January-June, 1868, reel 56.

<sup>53</sup> James P. Butler, Huntsville, to N. Prime, Secretary, Office of Civil Affairs, October 18, 1867, OCA, Letters Received, April-1867-May 1869, reel 5; *Flakes’ Daily Bulletin*, September 17 and October 17, 1867; J. D. O’Connell File, Pension Record; Augustus B. Bonnaffon File, Pension Record; L. H. Warrant File, Pension Record; E. D. Townsend, A.A.A.G., to Winfield Scott Hancock, Commander, Fifth Military District, September 29, 1867, 5<sup>th</sup> Military District, Box 3; Acting Assistant Surgeon, Galveston, to [Headquarters], District of Texas, September 30, 1867, 5<sup>th</sup> Military District, Box 1.

epidemic, the organization's attention to disease prevention and sanitation greatly increased, although at the time no one knew that mosquitoes spread the disease. Nonetheless, Bureau agents began advising the community on proper sanitary living and instituting measures to prevent unhealthy and dangerous living situations, like overcrowding. For example, T. J. Krutz had many problems with the lack of sanitary conditions in Galveston throughout August 1867. The Bureau man had to deal with those freedmen who died of the disease, because many of them had no money and the city refused to help. This was not only inhumane, according to Krutz, but also a health hazard. He emphatically told local officials that funds needed to be provided to care for these people, and when they died, it was "absolutely necessary that [their bodies] be removed." The Bureau man also reported people burying the refuse of yellow fever victims anywhere they could. In fact, Krutz complained that locals had deposited bedding from fever victims in a prairie near his office, and "he has full benefit of the infected air." Besides the health hazard, this practice was causing a "putrid and disagreeable" atmosphere.<sup>54</sup>

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<sup>54</sup> T. J. Krutz, Galveston, to J. G. Williams, Mayor of Galveston, August 20, 1867, SAC, January 1867-June 1868, reel 19; [T. J. Krutz], Galveston, to L. M. Hosten, August 20, 1867, SAC, Letters Sent, January 1867-June 1868, reel 19. For instances and works of previous policies toward the health of the freedmen and sanitation, see General Orders No. 16, April 14, 1866, General Orders and Circulars, August 1865-April 1870, 5<sup>th</sup> Military District; Walter B. Pease, Houston, to Alex McGovern, February 21, 1867, Post Houston, Letters Sent, November 1866-April 1868, 5<sup>th</sup> Military District; Edward Miller, Victoria, to William H. Sinclair, A.A.G., July 10, 1866, AC, Letters Received, 1866-1867, reel 7; S. J. W. Mintzer, Surgeon in Chief, to [J. B. Kiddoo], February 28, 1866, AC, Letters Received, 1866-1867, reel 6; *Galveston Daily News*, May 28, 1866; Byron Porter, Houston, William H. Sinclair, A.A.G., September 1866, AC, Letters Received, 1866-1867, reel 7; A. H. Mayer, Liberty, to Henry A. Ellis, A.A.A.G., September 30, 1866, AC, Letters Received, 1866-1867, reel 7; Randy Finley, "In War's Wake: Health Care and Arkansas Freedmen, 1863-1868," *Arkansas Historical Quarterly* 51 (Summer 1992): 135-163; Harrison, "Welfare and Employment Policies of the Freedmen's Bureau in the District of Columbia," 81-82; Gaines M. Foster, "The Limitations of Federal Health Care for Freedmen, 1862-1868," *Journal of Southern History* 48 (August 1982): 349-372; Alan Raphael, "Health and Social Welfare of Kentucky Black People, 1865-1870," *Societas* 2 (Spring 1972): 143-157; Todd L. Savitt, "Politics in Medicine: The Georgia Freedmen's Bureau and the Organization of Health Care, 1865-1868," *Civil War History* 28 (March 1982): 45-64; May, "19<sup>th</sup> Century Medical Care Program For Blacks," 160-171; Reggie L. Pearson, "There Are Many Sick, Feeble, and Suffering Freedmen': The Freedmen's Bureau's Health Care Activities during Reconstruction in North Carolina, 1865-1868," *North Carolina Historical Review* 79 (April 2002): 141-181; J. Thomas May, "The Louisiana Negro in Transition: An Appraisal of the Medical Activities of the Freedmen's Bureau," *Bulletin of the Tulane Medical Faculty* 26 (February 1967): 29-36; Gail S. Hasson, "Health and Welfare of Freedmen in Reconstruction Alabama," *Alabama Review* 35 (April 1982): 94-110.



Krutz recommended that those endangering the community be dealt with appropriately. He was not going to wait for superiors to act. The SAC had sent out “a search for [the] parties guilty of such [coarse] conduct detrimental to the laws of humanity.” Meanwhile, Krutz asked to be furnished with “chloride of lime” as a disinfectant. William Garretson at the port town of Indianola consulted with local officials to confirm the first outbreaks of the fever. “I have ordered no person to be allowed ashore,” he reported, “and shall act in concert with the city authorities in maintaining a strict quarantine.”<sup>55</sup>

The onset of winter finally ended yellow fever’s “reign of terror,” having left in its wake the corpses of hundreds of citizens and six Bureau agents. Included in the September death toll was Assistant Commissioner Charles Griffin, who had remained at his post in Galveston despite having the chance to leave the city. For his commitment and bravery, Griffin paid with his life. At the time of Griffin’s death, there remained much work left to be completed, with many of the same problems that had plagued his predecessors still unsolved. The transition from slave to free labor was still an ongoing process as many kinks had yet to be worked out. Although Griffin’s labor measures, such as the monopoly to A. Ruttkey & Co. and the no-lien policy, were designed to protect the freedmen and to ensure that they received compensation for their labor, whites still found ways to evade paying their workers. Evasion of payment coupled with the questions agents had about granting a monopoly and the confusion others had with the no-lien policy helped to limit the effectiveness of Griffin’s policies in solving the problems that had existed since the end of the war. Further hindering the effectiveness of Griffin’s policies was the increase in violence. In the first half of 1867 white violence had abated in much of the state.

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<sup>55</sup> [T. J. Krutz], Houston, to L. M. Hosten, [August 6, 1867], SAC, Letters Sent, January 1867-June 1868, reel 19; William Garretson, Matagorda, to J. T. Kirkman, A.A.A.G., June 30, 1867, SAC, Letters Received, May-December 1867, reel 24; [T. J. Krutz], Galveston, to P. H. Rowe, Assistant Surgeon, August 17, 1867, SAC, Letters Sent, January 1867-June 1868, reel 19.

This was attributed to the new policies and the “new attitude” from Bureau officials in Galveston and Radical Republicans in Congress. In the latter half of 1867, however, this respite ended, and white violence increased to an intensity not seen since late 1866, especially as voter registration commenced and white Texans discovered they could not sway the freedmen to vote for the Democratic party. Frustrated by their failed attempts to win political favor with the freedmen and equating the Freedmen’s Bureau’s attempts to ensure political equality with social equality, white Texans turned against the agency and its personnel. Several agents were violently assaulted and others murdered. Adding to the organization’s death toll in the latter half of 1867 was the yellow fever epidemic, which claimed the lives of six subassistant commissioners as well as the Bureau chief in Texas. Brevet Major General (and former Bureau agent in Brownsville) Joseph Jones Reynolds would replace Griffin. Reynolds not only would have his opportunity to solve the many problems that bedeviled his three predecessors, but he would also oversee the Freedmen’s Bureau’s end in the Lone Star State.<sup>56</sup>

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<sup>56</sup> Tyler, ed., *New Handbook of Texas*, 3:337; Crouch, *Freedmen’s Bureau and Black Texans*, 31.

## CHAPTER 8

### GENERAL ORDERS NO. 40 AND THE FREEDMEN'S BUREAU'S END: THE J. J. REYNOLDS ERA, SEPTEMBER 1867-DECEMBER 1868

Shortly before Joseph Jones Reynolds replaced the deceased Griffin, the Freedmen's Bureau had reached its zenith. In the summer of 1867 the organization had the highest number of subassistant commissioners and subdistricts it would have during the more than three years it operated in the state. From that summer on, however, the agency would gradually shut down its operations, slowly removing its field agents, contracting its subdistricts, and transferring authority for the freedmen to civil authorities until it ceased operations (except for educational programs) at the end of 1868.

While Bureau men wound down their operations and attempted to prepare the freedmen for life "after the Bureau," events beyond their control greatly affected the process. Some military officials, particularly the commander of the Fifth Military District, Winfield Scott Hancock, preferred civil control and scaled back the organization's interference with state officials. In General Orders No. 40, Hancock transferred the main responsibility for protecting the freedpeople and white Unionists to local officials. It no longer allowed Freedmen's Bureau agents to adjudicate cases and impose fines. White Texans mistakenly believed that the order ended the Bureau, or as they liked to state, the Bureau was "played out." Realizing the agency's end was near, white Texans, with aid from vigilante groups like the Ku Klux Klan, attacked not only the freedmen but also SACs in ways not seen since the organization entered the state in 1865. In fact, in 1868 two SACs would be murdered and many more threatened or physically assaulted. Most white Texans saw the organization's drawdown as a final opportunity to strike out at this most despised symbol of defeat.

In the Freedmen's Bureau's last year of existence in Texas, despite the winding down of

its operations, Reynolds still held his field personnel to high standards, ordering numerous inspection tours and not hesitating to dismiss any derelict agent. In the end, as those men in the field tried to protect the freedmen and themselves from white violence, struggled to remedy the many problems with the labor system, many of which had existed since the organization entered the state, and scaled back their operations, Reynolds worked to ensure that the agency and its personnel would not dishonor their commitment with corruption and dereliction of duty. If the Freedmen's Bureau was to "be crushed down by the weight of public opinion," it would at least go out dignified and honorable.

Brevet Major General Joseph Jones Reynolds was graduated from West Point in 1843. Prior to the Mexican War, Reynolds served at various posts in Texas. After the war, he was assigned to West Point as an instructor for eight years before being reassigned to frontier duty in the Indian Territory. Reynolds resigned from the military to accept a teaching position at a university in St. Louis in 1857. When the Civil War started, Reynolds was appointed colonel of an Indiana militia unit, but within months, he had been promoted to brigadier general of U.S. Volunteers. He participated in the major battles of Chickamauga and Chattanooga in 1863 before being appointed commander of the New Orleans defenses in early 1864. He was later reassigned that same year to command of the Department of Arkansas. He remained there until the Army's reorganization in July 1866, when he took command of the 26<sup>th</sup> Infantry Regiment. The next year, Reynolds was brevetted brigadier and then major general in the U. S. Army.<sup>1</sup>

Upon taking the position of assistant commissioner, Reynolds immediately began to change the policies of his predecessors. One of his first acts was to relocate Bureau headquarters in Texas from Galveston, where it had been since September 1865, to the state capital, Austin.

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<sup>1</sup> Warner, *Generals in Blue*, 397-398; Patricia L. Faust, ed., *Historical Times Illustrated: Encyclopedia of the Civil War* (New York: Harper & Row, Publishers, 1986), 626; Heitman, *Historical Register*, 1:825; Boatner, *Civil War Dictionary*, 649; Tyler, ed., *New Handbook of Texas*, 5:556-557.

He believed the area's climate in central Texas healthier than along the coast. He also appointed men of his own choosing as his headquarters staff, despite the fact that Griffin's staff remained in Galveston and still functioned as the headquarters staff for the Bureau in Texas. The new assistant commissioner began to appoint Bureau men of his own choosing. At the time of Reynolds' appointment to head the agency's in Texas in September 1867, there were 57 SACs, 15 ASACs, and one traveling agent. Of these, 15 were civilian agents with no military experience. Military officials in Washington wanted to muster out all remaining military agents, especially those Veteran Reserve Corps officers still in Freedmen's Bureau service. By late 1867, there were only four VRC officers serving as subassistant commissioners in Texas. These men, according to Reynolds, were superb agents, all with almost two years of service in the agency. Therefore, he greatly desired their retention as civilian agents, for they had "proved themselves [to be] able and efficient." Commissioner Howard gave his subordinate what he wanted and offered each of these men civilian appointments in the Freedmen's Bureau after their muster out. Of these men – Edward Miller, Charles F. Rand, N. H. Randlett, and Albert A. Metzner – all but Miller accepted the offer of civilian appointments. Although he presided over the organization's demise, Reynolds still needed agents to ensure an orderly transition from military to civil control, and by the time the agency ceased operations in the state in late December 1868, fifty-seven Bureau men were still in the field, but only twenty-one of them were officers in the military.<sup>2</sup>

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<sup>2</sup> J. J. Reynolds to O. O. Howard, January 3, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; General Orders No. 14, September 21, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; General Orders No. 23, October 23, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. J. Reynolds to O. O. Howard, December 3, 1867, AC, Letters Sent, reel 1; J. P. Richardson, A.A.A.G., to O. O. Howard, December 9, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Ulysses S. Grant to J. J. Reynolds, December 10, 1867, AC, Letters Received, 1867-1869, reel 11; O. O. Howard to J. J. Reynolds, January 7, 1868, AC, Letters Received, 1867-1869, reel 12; Circular Letter from O. O. Howard, November 28, 1867, M742C, Circulars Issued, May 15, 1865-

Many of Reynolds' policies were to prepare the former slaves for the day when the Freedmen's Bureau no longer existed. In General Orders No. 17, Reynolds ordered his field subordinates to allow the freedpeople to "dispose of their crops as other people dispose of their own property – without restraint from anyone." The assistant commissioner believed the black populace had come to rely too heavily on the agency and its personnel in their business transactions, especially under Griffin's monopoly order. As a result, according to the Bureau chief, the freedpeople had moved away from "relying on themselves" as everyone else in a free market economy had to do. Bureau men were to give advice if warranted but "are not directed to recommend certain commission houses for purchase to the exclusion of others." In addition, the new Bureau head cancelled Griffin's Circular No. 11 (the no-lien law), which prohibited liens on the freedmen's share of the crops. Reynolds thought this policy was unfair to the planters and quite confusing. Liens could be placed on the worker's shares but only with the approval of a Bureau agent. In short, Reynolds wanted agents to enforce all fair debts for necessities furnished for labor contracts.<sup>3</sup>

Reynolds realized that the Freedmen's Bureau's days were numbered (Congress had extended the life of the Freedmen's Bureau only until the end of 1868) and proposed a plan to Commissioner Howard to "replace Sub Asst throughout the state" with "county officers." This plan, he argued, would not only help ease the transfer of responsibilities to civil authorities and save the government money, but also help to "secure a more harmonious and satisfactory

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June 19, 1869 and Special Orders Issued, May 22, 1865-June 27, 1872, reel 7; Circular Letter from O. O. Howard, December 18, 1867, M742C, Letters Sent, October 1, 1867-August 31, 1868, reel 4.

<sup>3</sup> General Orders No. 17, October 29, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; General Orders No. 18, November 17, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; General Orders No. 20, November 27, 1867, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. J. Reynolds to O. O. Howard, December 3, 1867, M752C, Letters Received, September-December, 1867, reel 51.

administration of the Bureau than can be attained under the present system.” Reynolds sent a copy of his plan to Washington, D.C., for Commissioner Howard’s approval. As he waited for Howard’s reply, the military command in New Orleans made Reynolds’ plan unnecessary. Winfield Scott Hancock, who replaced Major General Philip H. Sheridan as commander of the Fifth Military District in November 1867, “reconfirmed” his preference for civil rather than federal control of state matters. He revoked Griffin’s Circular Orders No. 13 (jury order) and removed Reynolds’ ability to make political appointments, a power the new district commander believed the Texas assistant commissioner had abused. Going even further, Hancock issued General Orders No. 40 in late 1867. In it, Hancock moved to circumscribe military interference with civic duties, for, despite military rule, the state’s civil authorities should still retain the responsibility to govern. In other words, the “right of trial by jury, *habeas corpus*, the liberty of the press, [and] freedom of speech . . . must be preserved.” Hancock believed that the “maintenance of the civil authorities in the faithful execution of the laws as the most efficient [approach] under existing circumstances.” He based the order on the powers vested in his position as district commander in the Reconstruction Act of 1867, which “exempt[ed] no class of persons” from civil tribunals and required him to protect “all persons in their rights of person and property.”<sup>4</sup>

According to Hancock, the Freedmen’s Bureau had become too meddlesome, and its field agents had abused their authority. His opinion of the proper relationship between subassistant commissioners and state jurisdiction matched that of the society at large: the government had concentrated too much power during the war and Reconstruction and now threatened federalism. Hancock, through his new policies, decided to reestablish what he saw as the “proper”

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<sup>4</sup> Tyler, ed., *New Handbook of Texas*, 3:439; J. J. Reynolds to O. O. Howard, December 17, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Richter, *Overreached on All Sides*, 223.

relationship between the state and federal governments, intended “to confine Agents of the Bureau within their legitimate authority,” and determined to prevent the numerous unnecessary disputes between Bureau agents and civil authorities about jurisdiction, disputes the district commander believed contrary to the military’s role to preserve the peace. Although Hancock appeared to make jarring changes, much of what the general implemented was already in place. According to a leading historian on the military in Louisiana and Texas during Reconstruction, Hancock did not “make any extraordinary change in policy.” Instead, he simply “spell[ed] out the conditions that [had already] legally existed” under his predecessors. In short, he “instituted a change in attitude.”<sup>5</sup>

This “change in attitude,” however, was not well-received by agents in the field. They believed this approach contradicted the intent of the Reconstruction Act of 1867 and complained that Hancock’s policies inhibited their performance as agents, especially his G. O. No. 40. Bureau men reported that the order created confusion among the races and greatly hindered attempts to protect the freedpeople. In fact, their many letters expressing frustration about Hancock’s policies are evidence of their commitment to protecting the freedmen and demonstrates that Bureau agents distrusted the planters and civil authorities whose affection and acceptance some historians would later argue they so desired.

Some whites now believed that the Freedmen’s Bureau was “played out.” There was an impression in the state capital that “the officers of the Bureau have no power to take action in any case wherein the parties litigating are White & Black that all such cases must be referred to

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<sup>5</sup> J. J. Reynolds to O. O. Howard, December 17, 1867, AC, Letters Sent, March 1867-May 1869, reel 1; Winfield Scott Hancock, Commander, Fifth Military District, to J. J. Reynolds, February 24, 1868, AC, Letters Received, 1867-1869, reel 12; Joseph G. Dawson, III, *Army Generals and Reconstruction: Louisiana, 1862-1877* (Baton Rouge: Louisiana State University Press, 1982), 69; J. J. Reynolds to O. O. Howard, December 31, 1867, M752C, Letters Received, July-December 1868, reel 60; David M. Jordan, *Winfield Scott Hancock: A Soldier’s Life* (Bloomington: Indiana University Press, 1988), 318, 207; Perry D. Jamieson, *Winfield Scott Hancock: Gettysburg Hero* (Abilene: McWhiney Foundation Press, 2003), 152-153.



the Civil Courts,” reported A. H. Mayer. “The only power vested in the S.A. Comm. is to arbitrate cases wherein both parties litigating are freedmen.” Mayer further noted that the order had created “a bitter feeling” between white employers and their employees. In short, whites viewed the organization as “a thing *that was*” and dared the Bureau agent to sue in the civil courts and “be d-d.” James P. Butler at Huntsville complained that disloyal civil officers “are continually annoying and harassing me.” Since “the promulgation of Genl. Hancock’s orders,” he wrote, “they have become . . . elated with the idea of ‘Civil law in Texas.’” Due to the order, Butler was frustrated because the civil authorities “boldly defy the Government and its officers.” William H. Rock at Richmond informed those at headquarters that the people in his district were also “being influenced” by the recent order, even threatening to arrest and incarcerate the agent. Rock complained that it “is beginning to become adverse and in every way very unfair [for] the [freed] people under Genl. Hancock’s orders.” He noted that the whites “refuse to them (the f. m.) their wages & tell them to ‘sue in court.’” The frustrated Rock asked his superiors how to proceed in a settlement case if “I meet with the reply that [the Bureau agent] must now sue me at the Civil Courts [because] General Hancock orders you to refer all cases to the civil authorities except cases between the *niggers* and you have no authority over me.”<sup>6</sup>

In early 1868 Byron Porter at Bastrop noticed that civil courts “did not by any means show the same disposition to enforce the laws and punish crime that the juries of the June term did, who were selected in compliance with General Griffin’s Jury Order.” Some white citizens in Bastrop told Porter that the Bureau’s power was now over. In Paris, DeWitt C. Brown flatly

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<sup>6</sup> A. H. Mayer, Liberty, to J. J. Reynolds, January 24, 1868, AC, Letters Received, 1867-1869, reel 13; A. H. Mayer, Liberty, to J. J. Reynolds, January 15, 1868, AC, Letters Received, 1867-1869, reel 13; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., January 10, 1868, AC, Letters Received, 1867-1869, reel 14; J. P. Richardson, A.A.A.G., to William H. Rock, Richmond, January 27, 1868, AC, Letters Sent, March 1867-May 1869, reel 1.

blamed Hancock and his orders for the problems in his subdistrict. "Since the publication of Gen. Hancock's General Order," the Bureau man wrote, "the enemies of the Government in this Sub District have become bold to circulate false reports about the Bureau being removed and discontinued and ordered away. They declare that when the Bureau is discontinued they will kill the Freedpeople that have reported them." According to A. H. Cox at Liberty, "Orders No. 40 from Genl. Hancock is great [for] persons who are disposed to do evil . . . If Orders like that could be revoked and we could get a few orders from B[enjamin] F. Butler [a noted Radical Republican], I think we would have quiet in a short time." At Brenham, F. P. Wood stated that "I find much difficulty in getting parties before me as I am not an Army officer." He notified superiors that local officials had been using the state's labor laws to evade payment to their workers. For the SAC at Tyler, Gregory Barrett, whites refused to come when he ordered them to his office to answer charges against them. Each time Bureau agents involved themselves in protecting the rights of freedmen, white citizens delighted in reminding the officers about the order. "I learn you have been engaged for two days looking for or after me under beds [and] breaking in on private ladies, not negro wimon [sic] but white ladies," C. C. Clark mockingly wrote to D. F. Stiles, the Bureau man at McLennan County. "Allow me Sir to remind you one Bell Co. has civil officers and if you will get some competent man to read the order of Gen Hancock you will find out that you have no business with me."<sup>7</sup>

Hancock's general order also made it more difficult for SACs to regulate labor. A

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<sup>7</sup> Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., January 4, 1868, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., February 1, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; A. H. Cox, Liberty, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., May 1, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 25; C. C. Clark to D. F. Stiles, Waco, December 12, 1867, AC, Letters Received, 1867-1869, reel 15; Richter, "Revolver Rules the Day!" 323-324; Gregory Barrett, Tyler, to J. P. Richardson, A.A.A.G., March 31, 1868, AC, Reports of Operations and Conditions, March-April 1868, reel 25.

freedman complained to John H. Morrison that his employer had sued him for breaking his contract and had won a judgment in civil court. Upon an investigation, Morrison discovered that the freedman and planter had a verbal contract for fifteen dollars a month, and that the planter had actually broken the contract by discharging the hand without paying him his final month's wages. The Bureau man believed that a "great injustice" had occurred and prohibited the judgment to be carried out. The planter appealed to Bureau headquarters, which caused Bureau officials to write to Morrison for a report on the case. He wrote to Bureau superiors that "I hope you [sustain] my action in the case." In the end, they ordered Morrison to allow a new trial in civil courts, but the agent was to "supervise it." And "if they [civil authorities] fail to render a decision according to law and evidence," he was to "report of the case . . . to this office for action." James P. Butler had similar problems with citizens and civil authorities alike in Huntsville. Civil officials "have become infatuated with the idea that General Hancock has taken away all authority and power from the Bureau and its officers," a frustrated Butler wrote to superiors, "and that they are now amenable to the civil law. . . ." Butler reiterated his displeasure with the problems created by Hancock and his policies. "The only difficulties, which I labor under," he wrote, "is that every civil officer in the Town & County is a rampant, notorious rebel, and they adhere to the old principles of Democracy and Slavery with a tenacity that would shame Napoleon." Butler asked, "Now upon what grounds were such men elected to office?"<sup>8</sup>

Huntsville whites further frustrated Butler by making labor contracts with the freedmen under the state's more restrictive labor laws, the ones that were part of the state's Black Code. For example, Butler had a dispute with H. M. Elmore, a local white man. Elmore, who once had

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<sup>8</sup> John H. Morrison, Palestine, to Charles A. Vernou, A.A.A.G., August 10, 1868, AC, Letters Received, 1867-1869, reel 13; Endorsement of letter from John H. Morrison, Palestine, to C. S. Roberts, A.A.A.G., August 17, 1868, AC, Endorsements Sent, April 1866-September 1867, reel 2; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., December 31, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23.

attended a speech by former assistant commissioner E. M. Gregory and yelled out from the crowd, “shoot the d-d son of a b-h,” had contracts with his hands made in accordance with the state’s labor law. Butler refused to approve the contracts, reminding the man that the agency, despite Hancock’s orders, did not recognize that particular state law. “I don’t care whether you do or not,” the planter told the SAC in response, “under General Hancock[‘s] orders everything is turned over to the civil authorities and you have nothing to do with it.” When Elmore’s hands came to the Bureau man’s office, Butler informed them that their contracts were not valid, and they could contract with other employers if they so choose. When a few freedmen left Elmore’s plantation to contract with others, he had them prosecuted in local court for breaking their contracts. Despite the fact that Butler attended the trial and informed the presiding judge that the Freedmen’s Bureau did not recognize the state law, the magistrate still ordered the freedmen to return to Elmore’s plantation.<sup>9</sup>

Besides suing his hands in court, Elmore also had taken a horse from one of his workers and refused to return the animal. When the Bureau agent ordered him to his office, Elmore refused to comply. On a request from Butler, soldiers arrested Elmore and brought him before the SAC, who fined him twenty-five dollars for contempt. To this, Elmore put his hand to his nose “and in a contemptuous manner defied [the agent] to collect it.” Butler, undeterred, increased the fine to fifty dollars, and again Elmore placed his fingers to his nose and defied the agent to collect it. To aid him in the performance of his duties, local officials were of little use, Butler wrote to those at headquarters, for they “pigeon holed” any complaints by freedmen against whites. “[W]hat am I here for,” a frustrated Butler asked superiors. “What does the Government hire me for? What does it pay me a salary for? To sit there and do nothing[?]” In

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<sup>9</sup> William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., March 7, 1868, AC, Letters Received, 1867-1869, reel 15.

fact, Butler wanted to know exactly who ran Freedmen's Bureau affairs in the state. He certainly expressed the sentiments of many of his fellow field agents about Hancock and his policies when he stated, "I am yet to be informed that Gen Hancock is the Asst. Comm. of the Bureau for the State of Texas, as far as orders up to date and instruction go I owe obedience to the Asst. Comm. Gen. Reynolds and not to the issues of order no. 40." In order to obtain a better understanding of the problems faced by men in the field, Reynolds ordered William H. Sinclair on an inspection tour. Sinclair verified what Butler and many others had been saying about the effects of Hancock's policies: that local officials and whites dismissed the agency and its agents, believing them irrelevant. After describing a few instances when local officials refused to deal with the freedmen fairly, Sinclair stated that these "are samples of the manner in which the civil authorities perform their duties and do justice (?) to the freedpeople."<sup>10</sup>

Although Bureau men were no longer to adjudicate disputes but instead pass them on to civil tribunals, numerous letters from white Texans complaining about agents adjudicating and punishing whites still arrived at Fifth Military District headquarters in New Orleans. White Texans claimed that SACs "have been in the habit of sitting as Judges, holding Court, and adjudicating upon complaints and cases brought before them. . . ." Hancock asked Reynolds who had granted such authority since it violated General Orders No. 40. "Such being the fact, many of the Agents of the Bureau seem not to be aware of it," he told his subordinate in Texas. "In Texas some are yet holding Courts, trying cases, imposing fines, taking fees for services and arresting citizens for offenses over which the Bureau is not intended by law to have jurisdiction." Reynolds responded that Hancock had been misled, for subassistant commissioners were not "judges' in the legal sense." He stated that in Texas the white citizens adopted the term

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<sup>10</sup> William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., March 7, 1868, AC, Letters Received, 1867-1869, reel 15; James P. Butler, Huntsville, to J. P. Richardson, A.A.A.G., April 17, 1868, AC, Unregistered Letters Received, 1867-1869 and Undated, reel 18.

“Bureau,” “Bureau Court,” and “Freedmen’s Court” to mean any Bureau agent who a white person had to appear before or whose case had been referred. Furthermore, Reynolds reminded Hancock that numerous congressional statutes, such as both Freedmen’s Bureau bills, the Reconstruction Act of 1867, and the Civil Rights Act of 1866, and several circulars and general orders had granted field agents the power to adjudicate cases involving freedmen.<sup>11</sup>

Hancock, however, responded to his subordinate that those “orders and circulars may have been in force under previous District Commanders but nothing therein contained inconsistent with the orders and instructions of the present commander will be sanctioned or practical in this command.” He stated to Reynolds that since the civil tribunals in the state were operational, cases had to go through them. Wanting to make it very clear exactly where he stood, Hancock told Reynolds that the assistant commissioner’s argument might have worked with previous district commanders but no longer. Hancock also ordered Reynolds to stop questioning a superior officer and reminded the subordinate officer that “the authority of the District Commander cannot be interfered with in any manner by” the head of the Freedmen’s Bureau in Texas. Besides, the district commander continued, the very Reconstruction Act of 1867 that Reynolds referred to granted the district commander the sole power to deal with all legal matters in his district.<sup>12</sup>

According to Hancock, Bureau courts conflicted with General Orders No. 40 and would not be tolerated. Reynolds wrote to district headquarters in New Orleans that he did not mean to meddle or disobey his superior’s wishes. He simply wanted to protect the integrity of his field

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<sup>11</sup> R. Chandler, Assistant Secretary of Civil Affairs, to J. J. Reynolds, February 4, 1868, Letters Received, 1867-1869, reel 12; Winfield Scott Hancock, Commander, Fifth Military District, to O. O. Howard, February 24, 1868, AC, Letters Received, 1867-1869, reel 12; J. J. Reynolds to R. Chandler, Assistant Secretary of Civil Affairs, February 12, 1868, AC, Letters Sent, March 1867-May 1869, reel 1.

<sup>12</sup> R. Chandler, Assistant Secretary of Civil Affairs, to J. J. Reynolds, February 27, 1868, Letters Received, 1867-1869, reel 12; R. Chandler, Assistant Secretary of Civil Affairs, March 3, 1868, AC, Letters Received, 1867-1869, reel 12.

agents and secure the rights of the former slaves. Believing the policies of previous assistant commissioners left much confusion and “unsatisfactory results,” Reynolds stated that all he wanted to do was to establish uniformity throughout his command in Texas. In fact, he reiterated that his desire to transfer power to civil authorities actually paralleled Hancock’s. He believed this transfer should be a gradual, rather than abrupt, process. Wanting to secure his agency’s authority to protect the freedmen and white loyalists, Reynolds reminded Hancock that so long as the Freedmen’s Bureau existed, “it must be recognized and the freedpeople cannot be properly prevented from appealing to the Agents for advice and action.” In his letter to Hancock, the Texas assistant commissioner even appeared to question his superior’s judgment in issuing an order for a state that he knew little about. “The condition of affairs generally in Texas,” Reynolds stated, “is not comprehended by people out of the State, and to fully appreciate [it] must be experienced.”<sup>13</sup>

At the moment, it seemed, both officers’ nerves had been frayed, and the subassistant commissioners’ authority to protect the freedpeople had been all but eliminated. Hancock resigned as commander of the Fifth Military District in early spring 1868. He resigned his position after Gen. Grant reversed some of his decisions to remove individuals from office in Louisiana. According to David M. Jordan, General Hancock’s biographer, “It was clear to Hancock that the reversal by Grant . . . had fatally compromised his effectiveness in the district. . . .” Seeing an opportunity, Reynolds moved quickly to reestablish his agency’s authority and to “insure greater uniformity of action” within the state. In General Orders No. 4, which was very similar to his previous proposal to Howard that was countermanded by Hancock, Reynolds

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<sup>13</sup> J. J. Reynolds to George S. Hartsuff, A.A.A.G., Fifth Military District, February 20, 1868, AC, Letters Received, 1867-1869, reel 12; J. J. Reynolds to R. Chandler, Assistant Secretary of Civil Affairs, March 11, 1868, AC, Letters Sent, September 1865-March 1867, reel 1; Richter, *Overreached on All Sides*, 225-228; Brvt. Lt. Col. G. Norman Lieber to [Winfield Scott Hancock, Commander, Fifth Military District], May 8, 1868, AC, Letters Received, 1867-1869, reel 14.

outlined his plan to establish uniformity, to correct the many “unauthorized things” agents had done, and to sustain field agents “in the exercise of their legitimate authority.” Admitting that a few agents in the field had exceeded their authority and realizing their limited legal knowledge, the assistant commissioner limited his subassistant commissioners to minor cases that involved freedmen, refugees, and abandoned lands. Bureau men would have the power of a justice of the peace. Although they were ordered to allow all major cases to be decided in civil courts, Bureau agents’ “jurisdiction will not be limited by the amount in [question].” When a freedmen’s case went before a civil magistrate, Reynolds wanted field personnel to “give advice and if necessary personal supervision in important cases.” Bureau men could not charge for their services, but local officials could collect all fees authorized under state law. Reynolds wanted Bureau agents to act as legal advisers to the freedmen when their cases went to civil court, ensuring that the proceeding was fair and impartial. G. O. No. 4 did not “restrict the power already exercised by Agents of the Bureau,” but gave them the authority “to order the Civil Officers to execute their orders.” Local law enforcement had to honor all writs and warrants issued by Bureau personnel, and any state or local official deemed derelict in his duties could be replaced. To keep field personnel honest, Reynolds had inspectors who would routinely measure their performance.<sup>14</sup>

Reynolds’ order reestablished subassistant commissioners’ authority to handle certain cases and to protect the freedmen through fines. Through the order, he wanted a way to force the white populace to recognize the rights of black citizens. Furthermore, by limiting certain cases to Bureau agents, Reynolds hoped to streamline his agency’s judicial responsibilities and solve

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<sup>14</sup> Jordan, *Winfield Scott Hancock*, 211; General Orders No. 4, April 7, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Endorsement of letter from John H. Morrison, Palestine, to J. P. Richardson, A.A.A.G., August 16, 1868, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from John H. Morrison, Palestine, to J. P. Richardson, A.A.A.G., April 16, 1867, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., April 20, 1867, AC, Endorsements Sent, April 1865-September 1867, reel 2.



the problems that plagued his predecessors, problems he believed caused “unsatisfactory” results. The same difficulties field personnel experienced in judicial matters during Gregory’s, Kiddoo’s, and Griffin’s tenures, in fact, continued during Reynolds’ administration. Many agents were still uncertain about their authority and what was to be left to the civil authorities to be settled. To a large extent, this confusion stemmed from the ever changing policies in Austin and New Orleans. T. M. K. Smith at Marshall wanted to know if he had the authority “under recent orders” to fine individuals for breach of contract and assault. William G. Kirkman admitted he did not know the state’s laws concerning the jurisdiction of a justice of the peace and county courts. William H. Rock not only requested a copy of “Sayle’s Treatise” (contains the proceedings and necessary forms for justice of peace) but also wanted to know if his jurisdiction extended to criminal cases. F. P. Wood at Brenham asked if he could “set aside” decisions by “Civil Tribunals such as Mayors and Justices” if he deemed the decisions “as unjust and onerous.” Because of the many changing orders, Charles Schmidt appeared hesitant to “assume authority.” With Bureau agents uncertain and in some cases unwilling to “assume authority” for fear of reprimand by superiors, whites were emboldened to ignore orders issued by agents and expressed a general “disposition to defy their authority.”<sup>15</sup>

In addition to disrespect and apathy from some in the white community, a few Bureau men had to fend off their violent attacks as well. Gregory Barrett, for example, was assaulted as he tried George Kennedy in Bureau court in his office in Tyler. The fray started when Kennedy,

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<sup>15</sup> T. M. K. Smith, Marshall, to Charles A. Vernou, A.A.A.G., June 25, 1868, AC, Letters Received, 1867-1869, reel 15; F. P. Wood, Brenham, to J. J. Reynolds, April 27, 1868, AC, Letters Received, 1867-1869, reel 16; William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 23, 1868, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., August 24, 1868, AC, Letters Received, 1867-1869, reel 15; William G. Kirkman, to C. S. Roberts, A.A.A.G., May 1, 1868, AC, Letters Sent, April-December, 1868, reel 14; William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., April 16, 1868, AC, Letters Received, January 1866-November 1868, reel 25; William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., April 20, 1868, AC, Letters Received, January-November 1868, reel 25.

having witnessed a “collision” between a white and a black woman on a sidewalk, chased down the freedwoman and hit her on the head with his cane. “Now G-d d-n you,” he yelled at her, “after this give the side walk to ladies.” Barrett summoned Kennedy to his office, fined him fifty dollars for assault, and ordered him to give a bond of two thousand dollars “to keep the peace for six months.” During the trial, Kennedy’s friends had gathered about the office and outside its windows. At the moment Barrett announced his verdict, Kennedy sprang to his feet, drew his revolver, and walked toward the door as he yelled to the Bureau man, “You have put me under bonds which I won’t give . . . and you have fined me \$50.00 which I won’t pay.” Before Kennedy could exit the office, however, a soldier seized him. Kennedy leveled his already drawn revolver, shot the soldier, and dashed for the door. Hearing the shot, Kennedy’s friends also drew their weapons and began to fire at Barrett, who returned fire with a pistol he carried. In the shootout, Barrett apparently wounded Kennedy as he exited through the door.<sup>16</sup>

In the meantime, as the ruckus unfolded in Barrett’s office, shop owners around the courthouse square (Barrett’s office was in the courthouse), closed their shops “as if by magic,” and white citizens began running around the square yelling for others to get their guns and “Shoot the d-d yankee sons of b-hs.” As “threatening danger” mounted against the SAC, the black populace in the city gathered their weapons to come to his aid. Outnumbered and holed up in his office, Barrett realized he needed to unite with the other soldiers across the street. He exited the courthouse and ran a gauntlet of bullets, successfully dodging “their hellish purpose.” A dumbfounded observer later stated about Barrett’s sprint, “How Lieut. Barrett escaped is simply miraculous for not only in the office but all the way across the street the principal part of the shots were aimed at him and in crossing the street they took deliberate aim.” When he

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<sup>16</sup> William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., August 10, 1868, AC, Letters Received, 1867-1869, reel 15.

arrived on the other side of the street unscathed, Barrett quickly gathered a detail of federal soldiers and marched them back toward the courthouse. With reinforcements and greater firepower now to assist him, Barrett was able to disperse the whites and restore calm. With the armed whites dispersed, Barrett also disarmed the freedmen who had come to his aid, wanting to “avoid everything of a nature that would give his enemies a chance to charge that this trouble was originated by the freedpeople.” William H. Sinclair, who was ordered to Tyler to investigate the matter, applauded Barrett’s decisiveness. “The promptness with which he acted and the coolness and courage displayed by him,” the inspector wrote, “completely failed them [the firing whites] and this band of heroes (?).” He believed the attack to be “nothing less than a deliberate and premeditated attempt to murder in case the trial went against him (Kennedy).” Although things at present had calmed, Sinclair stated, he admitted that he would not be surprised if he heard about Barrett’s death.<sup>17</sup>

With so much confusion among those men in the field about their judicial authority and with resistance from whites so prevalent against the Freedmen’s Bureau’s judicial proceedings, Reynolds ordered Sinclair to investigate further the efficacy of authorizing Bureau men to settle disputes. After his tour, Sinclair proposed recommendations to the assistant commissioner and suggested that they should be kept secret from the general public. Sinclair believed General Orders No. 4 should be revoked, and Bureau agents “hereafter to turn over to the civil authorities all cases . . . and act as advisor and council for the freedpeople.” He complained about “civil officers who fail to execute the criminal laws of the state” and wrote that “cases of this kind are generally so plain that any violation or disregard of the laws governing them can be easily detected by an agent watching the course of the proceedings.” Congress had recently extended

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<sup>17</sup> Ibid.

the life of the Freedmen's Bureau, but only until the end of the year, and Sinclair reminded Bureau officials that "the freedpeople must soon look for redress in all cases to the civil law and it is better that the change be gradual and while they have some one to advise them, than [wait] up to the last moment [when] agents should adjudicate all cases coming up and suddenly leave them as it were in the dark." What Sinclair wanted Reynolds to focus on was the "greater good that agents do." That, according to him, resided not in their ability to adjudicate, for the "real business they do does not by any means represent the actual value they are to the freedpeople." Sinclair believed Bureau agents' effectiveness works in a "silent manner," their mere "presence" had prevented innumerable outrages and crimes against former slaves and represented their true value.<sup>18</sup>

Reynolds also ordered Sinclair to investigate the labor situation in Texas, especially considering the information coming into Bureau headquarters from its field subordinates about the adverse effects of Hancock's orders. Sinclair discovered that planters, guided by the changed attitude from New Orleans, had been using the old labor laws passed in the state's Black Code, which had lien policies for planters meant to deprive the freedmen of their wages. Noting that the policy of past Bureau administrations in the state had been to "set aside and disregard" these laws, Sinclair advised Reynolds to guarantee the freedmen's wages as the first lien. "It seems to me," wrote the inspector, "that the first lien upon the crop should be for those who made it." The inspector warned his superiors that if they did not "guarantee the freedmen's wages as the first lien," it would greatly inhibit Bureau agents' ability to "secure to the freedpeople the fruits of their labor." In short, Sinclair reminded those officers at headquarters of the "helpless condition the freedpeople are left in when they have no recourse but through the laws of the state to

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<sup>18</sup> William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., August 24, 1868, AC, Letters Received, 1867-1869, reel 15; Richter, "Who Was the Real Head of the Texas Freedmen's Bureau?" 151.

recover or secure at the end of the year the fruits of their labor.”<sup>19</sup>

Along with the problems with the labor situation and the resistance created by Hancock’s orders was an increase in violence. In fact, violence marked the Freedmen’s Bureau’s operations during Reynolds’ tenure as Bureau chief. Unlike his predecessors’ administrations, Reynolds’ tenure as assistant commissioner was marked, for the most part, by unabated resistance from white Texans. Numerous instances of outrages against freedpeople and white Unionists, burnings and break ups of freedmen’s schools, and verbal and physical attacks on SACs were reported in late 1867 and throughout 1868. Whether caused by the impeachment trial of President Andrew Johnson in the spring and early summer of 1868, the anticipated end of the Freedmen’s Bureau, first in July 1868 and again in December 1868, the unwillingness of local officials to protect the former slaves, or the increased political activity of the freedmen and Bureau agents with the upcoming presidential election and state Constitutional Convention in 1868, white Texans resisted the organization’s authority at every turn. As these events unfolded, never allowing for a lull in violence as in previous years, Bureau agents faced their most daunting challenge at the very time they wound down their operations.

At Marlin, Charles F. Rand, who routinely stated that he had no troops and required none, finally had to admit that the situation in his district required the presence of soldiers to deal with the outlaws who were holding the white and freedmen communities hostage. In Seguin, C. C. Raymond, who also routinely stated that he did not need troops, reported to superiors in August 1868 that “white men in disguise” broke up freedmen’s religious meetings. The situation in Charles Haughn’s district was bad enough for him to state that slavery, at least, offered some protection to the freedmen. “In time of slavery,” he wrote, “they had to bear only the abuse of

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<sup>19</sup> William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., August 25, 1868, AC, Letters Received, 1867-1869, reel 15; Richter, “Who Was the Real Head of the Texas Freedmen’s Bureau?” 151.

their masters. Now they bear the abuse of every drunken, worthless, murdering villain in the country. I think that Riots & hanging[s] are the order of the day.” In Tyler, Smith County, Gregory Barrett reported that things had taken a turn for the worse. “The disposition of the whites toward the freedpeople,” Barrett wrote, “is as bad as can be.”<sup>20</sup>

Although there were some questions about his oath of office and missing paperwork, William H. Howard performed his duties in Walker County quite adequately in the latter half of 1868. When he did send in reports about the operations in his district, Howard reported a litany of outrages against the freedmen. He wrote that planters refused to pay their hands, realizing that the last days of the Freedmen’s Bureau were fast approaching. They hoped to have their cases of nonpayment settled in state courts, where they were more likely to receive an advantageous decision. When Howard halted all shipments of cotton that did not have his signature, headquarters personnel ordered him to stop and allow local authorities to settle the issue. Reynolds told Howard to document every outrage and violation to present to military officers when they arrived in Huntsville. Howard found the U.S. soldiers as hostile to the freedmen’s cause as the local authorities were. According to Howard, the officers of the detachment were “good Democrats.” The Bureau man wrote to Bureau authorities: “Don’t take them away unless

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<sup>20</sup> C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., August 29, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Charles Haughn, Waco, to Charles A. Vernou, A.A.A.G., August 1, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., AC, June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Charles F. Rand, Marlin, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Charles F. Rand, Marlin, to Charles A. Vernou, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 21; Charles F. Rand, Marlin, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Charles F. Rand, Marlin, to Charles A. Vernou, A.A.A.G., December 31, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28. For reports that Raymond claimed he did not need troops, see C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., May 28, 1868, AC; C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC; C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., July 30, 1868, AC; and C. C. Raymond, Seguin, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, all in Reports of Operations and Conditions, reels 26-27.

you should send them into New England,” for these soldiers could do less harm there.<sup>21</sup>

Because the troops provided little help in stopping white violence, Howard decided to shame the white perpetrators into reforming. As an editor, he listed their various atrocities and outrages against freedmen in the columns of his newspaper. This move drew the ire of the guilty parties, and a few even threatened to kill him for the exposé. Alex Ferguson at Nacogdoches also had problems with “unreconstructed” whites in 1868. Ferguson admitted that he feared “to go into the country,” for outlaws ruled the area around Nacogdoches and did not fear the Freedmen’s Bureau. According to Ferguson, any man who dared travel alone beyond the city limits risked his life. The Bureau agent informed superiors that his father-in-law had left six weeks prior to visit a neighboring county to purchase some cattle and machinery. He had not been seen or heard from since. Conditions had gotten so bad in the area that even some planters appealed to Ferguson for help, wanting assistance from the agent because their freedmen had “been driven from their houses and compelled to sleep in the woods.” One planter asked Ferguson to come to his farm but warned him not to use the main road, since there was a local outlaw, who had been previously captured but escaped, who was going about the countryside

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<sup>21</sup> William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., December 23, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Charles A. Vernou, A.A.A.G., to William H. Howard, Huntsville, October 2, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., August 28, 1867, AC, Letters Received, 1867-1869, reel 12; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., November 6, 1868, AC, Letters Received, 1867-1869, reel 12; Telegram from William H. Howard, Huntsville, to J. J. Reynolds, July 30, 1868, AC, Letters Received, 1867-1869, reel 12; J. J. Reynolds to William H. Howard, Huntsville, July 31, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Charles A. Vernou, A.A.A.G., to William H. Howard, Huntsville, July 18, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Telegram from William H. Howard, Huntsville, to J. J. Reynolds, August 12, 1868, AC, Letters Received, 1867-1869, reel 12; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., September 17, 1868, AC, Letters Received, 1867-1869, reel 12; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., October 1, 1868, AC, Letters Received, 1867-1869, reel 12; C. S. Roberts, A.A.A.G., to William H. Howard, Huntsville, August 29, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Charles A. Vernou, A.A.A.G., to William H. Howard, Huntsville, September 26, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., September 21, 1868, AC, Letters Received, 1867-1869, reel 12.

vowing revenge against the Bureau agent for his part in his arrest.<sup>22</sup>

In February, Arthur B. Homer complained that locals believed the Freedmen's Bureau would end in July 1868, before Congress renewed it to continue to operate until the end of the year. Homer asked if contracts had to be deposited at his office since the planters refused to do that, believing "the Bureau will stop in July and there is no use of it." When he asked one man to appear at his office to answer charges made against him, the man responded "that the Bureau might go to Hell." The Bureau man at Moscow, Polk County, also reported that many freedpeople were being driven from the fields. In Waco, Charles Haughn wrote that "Complaints come from every county, and from every part of the counties [and] the people have endeavored to kill the fm, whom they could not kill they have tried to frighten and whom they can not frighten they are swearing falsly [sic] against in order to imprison them." These acts of violence, according to Haughn, were not being committed by the planters but by others on their behalf. "Planters have more politic and have not threatened the Freedmen themselves," he noted, "but have employed or permitted rowdies and loafers to do it for them." To remedy this, he wanted Bureau officials to hold planters responsible for these actions. He proposed that a "Slight turn of the [w]rist' at Headquarters . . . would help every Agent" deal with this problem.<sup>23</sup>

The rowdies Howard talked about were generally the "Klu Kluxers," a euphemism for the

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<sup>22</sup> Alex Ferguson, Nacogdoches, to Charles A. Vernou, A.A.A.G., December 1, 1868, AC, Letters Received, 1867-1869, reel 11; Alex Ferguson, Nacogdoches, to Charles A. Vernou, A.A.A.G., December 7, 1868, AC, Letters Received, 1867-1869, reel 11; Alex Ferguson, Nacogdoches, to [Headquarters], April 21, 1868, AC, Letters Received, 1867-1869, reel 11; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., October 6, 1868, AC, Letters Received, 1867-1869, reel 12.

<sup>23</sup> Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., February 24, 1868, AC, Letters Received, 1867-1869, reel 12; Charles Haughn, Waco, to [J. J. Reynolds], June 27, 1868, AC, Letters Received, 1867-1869, reel 12; Charles Haughn, Waco, to [J. J. Reynolds], March 20, 1868, AC, Letters Received, 1867-1869, reel 12; Charles Haughn, Waco, to [J. J. Reynolds], March 27, 1868, AC, Letters Received, 1867-1869, reel 12; William H. Howard, Moscow, to Charles A. Vernou, A.A.A.G., November 6, 1868, AC, Letters Received, 1867-1869, reel 12.



vigilante group the Ku Klux Klan. The organization was formed in Tennessee shortly after the war as a fraternal organization for ex-Confederate soldiers. By 1868, however, it had changed into a vehicle for the Democratic party, becoming an organization that employed violence against freedmen and Unionists to reestablish white, Democratic control. Gregory Barrett at Tyler wrote about many outrages committed against the freedmen. The “difficulty in my way,” he wrote, “is that at night the ruffians are disguised and in day time strangers do the work so they are not known.” DeWitt Brown at Paris informed Bureau officials that these masked men have helped to create a “corrupt opinion” in order to set SACs and the civil courts at “defiance.” Although he investigated claims from freedpeople that they had been driven from the fields and from their homes and found many of these specific cases to be baseless, Joshua L. Randall admitted that in certain counties in his subdistrict, a “large number of freedmen [had been] mysteriously killed.” William H. Howard at Huntsville reported that many freedmen were driven from the area, some having gunshot wounds. According to Charles Schmidt, Trinity County was “in a state of excitement and confusion.” He reported that most of the county’s white citizens “have combined for unlawful purposes.” The last couple of days, Schmidt wrote, were as if someone set “loose the hell hounds” upon his district. “The spirit of Rebellion is re-kindled doubtless through the influence of the K K K,” the SAC believed. “Repeated attempts have been made to kill and murder [me].” The Klan even left a note warning Schmidt to leave the area or meet his doom.<sup>24</sup>

Whites took their frustration out on the Freedmen’s Bureau schools as well, something

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<sup>24</sup> Gregory Barrett, Tyler, to [Charles] A. Vernou, A.A.A.G., June 6, 1868, AC, Letters Received, 1867-1869, reel 10; DeWitt C. Brown, Paris, to J. J. Reynolds, October 28, 1868, AC, Letters Received, 1867-1869, reel 10; Joshua L. Randall, Sterling, to Charles A. Vernou, A.A.A.G., November 13, 1868, AC, Letters Received, 1867-1869, reel 14; Charles Schmidt, Sumpter, to J. P. Richardson, A.A.A.G., April 30, 1868, AC, Letters Received, 1867-1869, reel 15; James Smallwood, “When the Klan Rode: White Terror in Reconstruction Texas,” *Journal of the West* 25 (October 1986): 12; Cantrell, “Racial Violence and Reconstruction Politics,” 348-349; Telegram from William H. Howard, Huntsville, to J. J. Reynolds, July 30, 1868, AC, Letters Received, 1867-1869, reel 12.

that had not happened previously. Field agents reported numerous instances of schools being broken up and burned, students being assaulted or threatened, and teachers being run out of town or threatened. According to Gregory Barrett, a lawyer in Tyler told him that he would “beat the damned ‘nigger’ school out” and “would be a party to clean the damned ‘niggers’ out,” because their presence “had insulted the whites.” The lengths to which some in the white community went to express their disgust with freedmen education knew no boundary, nor gender. For example, DeWitt C. Brown at Paris wrote that the whites in his subdistrict were very bitter toward the freedmen school. “Some four or more young ladies of the city of Paris,” the agent wrote, “entered the house occupied as a colored school and actually shit on the floor and upon the benches and in the water bucket [and] then tore a [page] out of the Bible used in the school and wrote a note to the lady teacher.” Resistance against freedmen’s schools and violence against the teachers reached such a point in 1868 that those in the field were impotent to protect them. In fact, Reynolds asked Commissioner Howard not to send any more young ladies from the north to Texas for teaching duty, because “it will be utterly [impossible] to assure them of safety from outrage or insult.” Other Bureau men worried about the military appointed civil officers, who were mostly Republicans, believing it would be a miracle if many of them lived beyond the end of the year.<sup>25</sup>

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<sup>25</sup> DeWitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., April 30, 1868, SUP, Letters Received, 1868-1870, reel 5; J. J. Reynolds to O. O. Howard, October 22, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G. June 6, 1868, AC, Letters Received, 1867-1869, reel 10; DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., May 16, 1868, AC, Letters Received, 1867-1869, reel 18. For instances of outrages against Freedmen’s Bureau schools, teachers, or students, see Thomas H. Baker, Lockhart, to J. J. Reynolds, July 18, 1868, AC, Letters Received, 1867-1869, reel 10; William H. Rock, Richmond, to Charles A. Vernou, A.A.A.G., December 11, 1868, AC, Letters Received, 1867-1869, reel 14; Charles F. Rand, Clarksville, to Charles A. Vernou, A.A.A.G., May 31, 1868, SUP, Letters Received, 1868-1870, reel 7; Charles F. Rand, Clarksville, to J. P. Richardson, A.A.A.G., May 10, 1868, AC, Letters Received, 1867-1869, reel 14; General Orders No. 4, July 8, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; DeWitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., June 30, 1868, SUP, Letters Received, 1868-1870, reel 5; Ebenezer Gay, Austin, to Charles A. Vernou, A.A.A.G., June 30, 1868, SUP, Letters Received, 1868-1870, reel 5; Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., July 31, 1868, SUP, Letters Received, 1868-1870, reel 5. For examples of threatening letters sent to civil officers, see David S. Beath,

Many agents attributed this increased violence to the impeachment trial of President Andrew Johnson and the upcoming presidential and state elections. DeWitt C. Brown at Paris warned superiors about what might happen in his district if the bitterness between the president and the Republicans in Washington escalated. "If affairs at Washington should take a turn of armed hostilities between the Radical and Johnson party," Brown wrote, "the Rebels of this Sub-District would take it as a license for the perpetration of the most atrocious outrages set down in the books." Mahlon E. Davis notified superiors of a "perceptible change" between the races in Harris County. This conflict, he suspected, was caused by "political Complications and the influence upon the blacks of political organizations and the dread thereof on the part of the whites." S. H. Starr described the deplorable conditions of freedpeople in Mount Pleasant. "The extraordinary uprising of the lawless element within the last ten or twelve weeks is easily accounted for," Starr told superiors. "[I]t is principally, but not wholly, due to the condition of affairs at the seat of government. The people are confidently expecting a war at the north, in which . . . they propose to exterminate the few soldiers & kill and re-enslave the blacks." Fearful of what Bureau officials might think of his report – and of course of him – Starr asked those at headquarters "that it may not be thought that I exaggerate." The situation at Bastrop was very similar to that in Mount Pleasant. "The result of the late Election has caused an increased bitterness of feeling on the part of the majority of the whites towards the blacks," wrote Byron Porter. A frustrated Porter stated that he had "no power either to enforce my decisions, or to protect freedpeople in their rights; nor to arrest offenders who murder or outrage the blacks[;] nor to protect myself from insult and violence while in the discharge of my official duties." He also noted that whites had withdrawn their support for the freedmen's school, for they believe

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Bastrop, to Charles A. Vernou, A.A.A.G., December 14, 1868, AC, Letters Received, 1867-1869, reel 10; and Telegram from W. H. Wood to Charles A. Vernou, A.A.A.G., August 6, 1868, AC, Letters Received, 1867-1869, reel 12.

that the “freedmen have shown their hostility to disfranchise” them, and the whites “will not assist men who are attempting to injure” them.<sup>26</sup>

In Nacogdoches, Alex Ferguson noticed that “feeling and disposition [for the freedmen] has somewhat changed against the freedmen for the past two months [and] it is owing to the coming election, because they find out now that [Ulysses S.] Grant and [Schuyler] Colfax will [be] elected.” Gregory Barrett also reported the effects the president’s impeachment was having on the white citizens in Smith County. “During the past two weeks and especially since the acquittal of President Johnson,” Barrett wrote, “the people of this section [the white population] have exhibited a spirit as bitter and hostile to the government as was shown by them during the rebellion.” Barrett further notified superiors that whites “shoot, cut, and maltreat” those freedmen “who differ with them.” In essence, they had created a “reign of terror.” Henry C. Lacy, a temporary agent sent by Bureau headquarters in Washington to assist with the settlement season in 1868, heard about many “threats to discharge the freedmen on account of political opinion and by this means and other compulsory acts to control their votes.” Showing his inexperience for and misunderstanding of the job, Lacy asked if a freedman’s political affiliations or opinions were “sufficient reasons to violate a contract.” Officials informed him they were not, and they ordered him not to allow any such dismissals.<sup>27</sup>

The deteriorating conditions around the state affected not only those in the field in

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<sup>26</sup> DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., February 29, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Mahlon E. Davis, Houston, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; S. H. Starr, Mount Pleasant, to J. P. Richardson, A.A.A.G., March 5, 1868, AC, Letters Received, 1867-1869, reel 15; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., March 2, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 24; Byron Porter, Bastrop, to J. P. Richardson, A.A.A.G., April 1, 1868, AC, Reports of Operations and Conditions, March-April, 1868, reel 25.

<sup>27</sup> Alex Ferguson, Nacogdoches, to C. S. Roberts, A.A.A.G., October 4, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Henry C. Lacy, Crockett, to C. S. Roberts, A.A.A.G., September 15, 1868, AC, Letters Received, 1867-1869, reel 13.

districts experiencing violence, but also those men in quiet areas. These agents were influenced by the deteriorating conditions in other parts of Texas and reports from other districts of outrages and murder. This was reason enough to suspect problems even as conditions in their districts remained tranquil. Arthur B. Homer, for example, stated to superiors that all was quiet in Columbia in August 1868, “but I fear trouble during the election.” Because trouble did not surface, he later wrote that race relations were “improving [and] outside of [the] political, there is no trouble – and only talk of that.” Homer’s district was so quiet that he admitted that no troops were required. In Columbus, Louis W. Stevenson reported that “it is the firm determination” by many whites to “intimidate and if necessary prevent by force the freedmen from the exercise of suffrage unless they vote as the whites desire.” According to Stevenson, this was his main problem, for “outside of the question of politics, the feeling . . . is good.” F. P. Wood at Brenham wrote superiors that whites had tried to sway the freedpeople to vote for their candidates in the elections for delegates to the state constitutional convention and for the Democratic nominee for president of the United States later that year. Although whites were not successful in convincing the freedmen to vote for their candidates, Wood wrote about surprisingly good race relations and conditions in his district after the elections. “[T]here [has] been no outbreaks or expressions of bitterness towards the Freedpeople,” he wrote, “and I have to report that there is now quiet.”<sup>28</sup>

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<sup>28</sup> Arthur B. Homer, Columbia, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Arthur B. Homer, Columbia, to Charles A. Vernou, A.A.A.G., November 2, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Arthur B. Homer, Columbia, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27.

According to Clarence Mauck, things were generally quiet in the state's capital, but as the "colored officers to the convention" began to arrive in May 1868, a "good deal of ill feeling" was created. John H. Morrison reported that Democrats in Palestine discharged their freedmen who refused to join their party and passed "resolutions that they will not employ a freedman that belongs to or votes a Republican Tickett [sic]." At Richmond, William H. Rock described a "most cold blooded" and "foul murder." A white lawyer wanted to organize a "colored Democratic Club." He was scheduled to give a speech in town, but the freedpeople did not attend. The freedmen's disinterest angered the man, who, according to Rock, "became enraged and swore he wanted to kill every God d-m nigger who belonged to the Republican party or to the Loyal League." In fact, Rock claimed that the man told him that he would begin his killing spree with the SAC. "[H]e did come to my office with a six-shooter," Rock informed superiors, "but remained outside the fence and in the street abusing & damning me for a G-d D-m Yankee puppy and daring me to come out and fight him." The lawyer, angry that the Bureau man would not come out and meet him, went to a local bar to get drunk. Now "excited with drink," the intoxicated and irritated man swore to those in the bar that he was going to kill someone that night. As he exited the bar, he shot one of his former slaves in "cold blood." Although the perpetrator was immediately arrested, his friends soon bailed him out. Rock believed that "there was some foul play" on the part of the local officials and requested troops to rearrest the man and try him by military commission. Bureau officials instructed Rock to allow the case to go to the civil courts, but ordered him to "report the action [of] the court after the trial shall have ended."<sup>29</sup>

T. M. K. Smith informed headquarters officers that prominent business men refused to

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<sup>29</sup> Clarence Mauck, Austin, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, 26; John H. Morrison, Palestine, to Charles A. Vernou, A.A.A.G., AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William H. Rock, Richmond, to Charles A. Vernou, A.A.A.G., August 8, 1868, AC, Letters Received, 1867-1869, reel 14; C. S. Roberts, A.A.A.G., to William H. Rock, Richmond, August 17, 1868, AC, Letters Sent, September 1867-May 1869, reel 1.

hire any freedmen “who does not produce a certificate membership of the Democratic club and who does not pledge himself to vote as his employer shall dictate.” In Corpus Christi, a place that generally had good race relations and little trouble, John Dix admitted that “a strong disposition to break down Negro suffrage [sic]” existed. Dix predicted that whites in the area would not bring “all the means that can be brought to bear upon the subject, except violence, and many rebels would use violence, if not restrained by fear of military authority.” He further noted that planters threatened not to hire any freedmen who voted against the Democratic party. They also ridiculed the very thought of black voting, office holding, and jury duty. Despite all this threatening talk by whites, Dix reported good relations between the races after the presidential election.<sup>30</sup>

Deteriorating conditions in certain counties around the state raised a new concern for Bureau personnel in the field: the freedmen arming, or rumors of them arming, themselves to protect against white violence. This problem was not widespread, and only a few Bureau agents actually had to deal with it. Charles Haughn at Waco investigated rumors of a “Negro mob” at Mastersville. He found the story to be baseless. Racial tensions developed near Hempstead, Austin County. According to F. P. Wood, groups of former slaves had armed themselves after they heard rumors that the Ku Klux Klan was terrorizing and killing freedpeople to prevent them from supporting the Loyal League and Republican party. Wood stated that these rumors of Klan atrocities abounded. In fact, freedmen began to carry weapons to the fields for protection. In addition to these rumors, Wood investigated claims by whites that freedmen had forcibly secured

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<sup>30</sup> John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., May 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; T. M. K. Smith, Marshall, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., June 30, 1867, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., [July 1868], AC, Reports of Operations and Conditions, May-July, 1868, reel 26; John Dix, Corpus Christi, to Charles A. Vernou, A.A.A.G., [November 1868], AC, Reports of Operations and Conditions, November-December, 1868, reel 28.

the release of the two freedmen from the civil authorities' custody. He discovered that the whole "affair" stemmed from a combination of misunderstanding, suspicion, and rumors.<sup>31</sup>

It began when the Austin County sheriff arrested the two freedmen for not paying their taxes, an act that many in the freed community believed to be an excuse by the Klan to detain the men until they could be dealt with later. When they heard of the two arrests, the freed community immediately organized and set out to find the sheriff. When confronted, the law enforcer released the two prisoners to the group of freedmen. The sheriff was not part of any Klan conspiracy and was actually arresting the two men for killing several oxen. For unknown reasons, however, he did not tell this to the two freedmen he arrested or to other freedmen who witnessed the arrests. The sheriff's silence caused the freed community to think the worst and come to the prisoners' aid. Wood, wanting to prevent violence, organized some soldiers to patrol the outskirts of town and to disarm any who tried to enter armed. Wood wrote to Bureau officers and concluded that the whole situation was caused by "rumors and vague statements" and "distempered imaginations" in the freed community, which resulted from past "evil designs" by whites and reports of violence done to the former slaves since the war.<sup>32</sup>

Although the situation in Austin County did not escalate to violence, Assistant Commissioner Reynolds wanted to get to the bottom of the whole affair and ordered Inspector William H. Sinclair to the county. What the inspector found shocked him. Sinclair, in fact, recommended that Austin County be detached from Wood's district and designated its own district with its own SAC to "protect the freedpeople in their right and prevent them from attempting to take the law into their own hands as they are now . . . much inclined to do." What

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<sup>31</sup> Charles Haughn, Waco, to [Headquarters], May 28, 1868, AC, Letters Received, 1867-1869, reel 12; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., July 6, 1868, AC, Letters Received, 1867-1869, reel 16; D. Abrenbreck, Mayor of Hempstead, to J. J. Reynolds, June 26, 1868, AC, Letters Received, 1867-1869, reel 10.

<sup>32</sup> Charles Haughn, Waco, to [Headquarters], May 28, 1868, AC, Letters Received, 1867-1869, reel 12; F. P. Wood, Brenham, to Charles A. Vernou, A.A.A.G., July 6, 1868, AC, Letters Received, 1867-1869, reel 16.



the inspector discovered about Wood's performance also troubled him. After talking with the post commander at Brenham, Sinclair began to doubt Wood's stories about armed groups of freedmen ready to go on the warpath. Instead, he suspected that the real aggressors were not the freedmen, but rather the local authorities, who had arrested freedpeople "with but little or no foundation" and had treated them "in a manner that is cruel and without warrant." Sinclair placed much of the blame for the problems in the district on Wood, who, the inspector believed, had been derelict by not investigating the claims of freedmen against whites. "[I]nstead of attending to their cases and seeing that they had a speedy examination or were released," Sinclair wrote to Reynolds, Wood "wrote back [to Sinclair stating] that he was going to his plantation" because he needed money. Although Wood was not relieved from duty, probably because the harvest season and the Freedmen's Bureau's end were near, Reynolds decided to break off Austin County (Hempstead) from Wood's district and made it a separate subdistrict. Reynolds appointed Alex B. Coggeshall to the new district. Race relations quickly improved after Coggeshall's appointment. In fact, he informed Reynolds that he neither had troops, nor did he believe them necessary.<sup>33</sup>

VRC officer N. H. Randlett had to deal with more than just rumors. Appointed a Bureau agent in early 1866, Randlett served at Navasota, Courtney, and Palestine before being assigned to Bryan, Brazos County. Reynolds thought very highly of Randlett, and after his muster out in late 1867, the assistant commissioner recommended him to Commissioner Howard for reassignment as a civilian agent in early 1868. Randlett experienced few problems at Bryan, mainly because he had the cooperation of the local law enforcement. But that changed in the

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<sup>33</sup> William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 6, 1868, AC, Letters Received, 1867-1869, reel 15; F. P. Wood, Brenham, to J. P. Richardson, A.A.A.G., March 23, 1868, AC, Letters Received, 1867-1869, reel 16. For conditions in Hempstead after the racial incident, see Alex B. Coggeshall, Hempstead, to Charles A. Vernou, A.A.A.G., AC, Reports of Operations and Conditions, August through December, 1868, reels 27 and 28.

early summer of 1868, when “men dressed and known as the Ku Klux attempted to frighten the freedmen by marching through their village.” Not cowed by this demonstration, the freedpeople took pot shots at the disguised men, scattering them and forcing some to leave so hastily that some left their garments behind. The scattered marchers, however, vowed revenge, which caused the former slaves to begin to arm and drill to protect themselves against the anticipated attack. With the freedmen drilling and “forming a military organization,” many whites in Brazos County appealed to Randlett to “stop the carrying of arms by the freedmen.” They even wrote to Bureau headquarters in Austin, claiming that the county was “in imminent danger of an outbreak from the freedmen. . . .” Randlett, however, told them he would disarm the freedpeople only after “the whites put a stop to the incursions of the K Ks.” The whites agreed, and Randlett ordered the freed community to disarm and to disband its paramilitary organization. To ensure compliance, military officials dispatched a detachment of troops to Brazos County to assist the Bureau man. However, the soldiers did not remain long before they were reassigned to another county, leaving Randlett alone.<sup>34</sup>

All was quiet in Brazos County until mid-July when rumors swirled about that a freedman, Miles Brown, had been hanged. Black leaders immediately organized a party to search for the body. They marched out of town in military style, which “was sufficient to cause uneasiness with the whites.” The party received information that the individual responsible for Brown’s hanging was a white man named Andrew Halliday, who had a previous dispute with the alleged victim in which he threatened to hang the freedman. Halliday, fearing what the increasingly large crowd might do to him, relayed word to Millican’s civil authorities that his

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<sup>34</sup> N. H. Randlett, Bryan, to Charles A. Vernou, A.A.A.G., July 23, 1868, AC, Letters Received, 1867-1869, reel 14; O. E. Taylor, et. al., to J. J. Reynolds, June 26, 1868, AC, Letters Received, 1867-1869, reel 16; N. H. Randlett, Bryan, to Charles A. Vernou, A.A.A.G., July 9, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; N. H. Randlett, Bryan, to Charles A. Vernou, A.A.A.G., June 8, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26.

house was being surrounded by a black mob. Local authorities quickly raised a posse of their own and marched to the aid of the besieged white man. In the meantime, the freedpeople, for unknown reasons, left Halliday's residence, having decided not to exact revenge on the man, and turned back to town. As they approached the town, as fate would have it, the group of freedmen encountered the group of whites heading toward Halliday's residence. The crowds did not immediately fire on one another. As leaders from the two groups conversed, however, a shot rang out. This caused "a general firing . . . from the whites," which scattered the crowd of freedmen. Randlett, at best, could only speculate which party fired the first shot, evidenced by several changes to his reports.<sup>35</sup>

Later that night, after the members of each group had returned to their respective neighborhoods, local officials met with one of the leaders of the freed community in Millican, George E. Brooks. He was one of the leaders who helped to organize the group of freedmen that went after Halliday. Brooks told them that "he would not agree to any terms of peace," which "caused intense excitement in town." With so much "excitement" in the air, things were almost certain to escalate to violence. In fact, for several days in Millican, a group of whites attacked the leaders of the freedmen in Millican. Randlett, however, quickly intervened to stop the assaults, but not before five freedmen had been killed, including Brooks, whose body was never recovered. Although nearly a half-dozen freedmen lost their lives, federal officials realized the bloodshed could have been far worse if not for the "prompt and efficient" actions of Randlett. Despite his decisiveness, Randlett's problems had only begun. After what was called the "Millican riot," Randlett reported that he had been "assaulted, insulted and my life threatened."

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<sup>35</sup> N. H. Randlett, Bryan, to Charles A. Vernou, A.A.A.G., July 23, 1868, AC, Letters Received, 1867-1869, reel 14. For Randlett changing his story about who was responsible for firing the first shot, see N. H. Randlett, Millican, to Charles A. Vernou, A.A.A.G., August 4, 1868, AC, Letters Received, 1867-1869, reel 14 (also in M752C, Letters Received, July-December, 1868, reel 60).

He had until recently paid “little notice of this,” dismissing such slights as nothing more than mere nuisances. But since the threats had increased, he believed them credible and requested protection. Without protection, Randlett wrote, “no business can be transacted.” Not wanting to create any further problems for himself, Randlett asked the assistant commissioner not “to publish” his communication “as it would render my stay very unpleasant if not dangerous.” Randlett remained in Millican until October, when he tendered his resignation.<sup>36</sup>

Reynolds appointed David S. Beath first to Cotton Gin then a month later to Bastrop in late summer of 1868. At the time of Beath’s arrival, the white community in Bastrop was very defiant. The Bureau agent was determined to meet the challenge. Beath immediately moved to protect the former slaves from injustice by giving legal advice to those on trial in civil court, releasing a freedman from civil custody who the agent believed was being held unjustly, and recommending the removal of disloyal civil authorities. A local judge, W. T. Allen, publicly condemned the federal government, including the Freedmen’s Bureau and Assistant Commissioner Reynolds. The judge also aimed his anger at Beath. Allen publicly “threatened to attack” Beath, who allegedly “abused the position” of subassistant commissioner. Although the Bureau man declined the judge’s invitation to a fist fight, Beath refused to be cowed and continued his fight for justice for the freedmen. “I know too well that General Reynolds would censure me to Disgrace” to back down now, he informed superiors, “I will let these so called Union men know that they cannot overrun me.” The confrontation between Beath and Allen only intensified after the judge’s merchant store mysteriously burned down. Naturally, Allen

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<sup>36</sup> N. H. Randlett, Millican, to Charles A. Vernou, A.A.A.G., July 23, 1868, AC, Letters Received, 1867-1869, reel 14; Captain W. T. Gentry to C. H. Whittelsey, A.A.A.G., July 27, 1868, M752C, Letters Received, July-December, 1868, reel 60; N. H. Randlett, Bryan, to Charles A. Vernou, A.A.A.G., August 30, 1868, AC, Letters Received, 1867-1869, reel 14; DeWitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., September 5, 1868, AC, Letters Received, 1867-1869, reel 10; O. O. Howard to J. J. Reynolds, July 20, 1868, M742C, Letters Sent, October 1, 1867-August 31, 1868, reel 4; Special Orders No. 62, October 18, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.

and his supporters accused the SAC “as the perpetrator of the deed” and wrote Bureau officials in Austin that the agent had been threatening to burn the town down prior to the fire. They further accused him of drunkenness and called him obnoxious. According to Allen’s supporters, Bastrop civil authorities, who military officials appointed to their positions, would resign if Bureau officials did not remove their subordinate. Beath wrote to Reynolds to deny the charges, but the matter became irrelevant when the Freedmen’s Bureau ceased operations in the state.<sup>37</sup>

DeWitt C. Brown described Paris as “the most demoralized community that I have ever had the misfortune to live in.” Someone made two attempts on his life in one day. He attributed these assassination attempts to Cullen Baker and his gang, who “have a particular spite at me.” Brown also suspected they did the work for others. “The citizens of this place are in confederation with them,” he wrote. “The program as near as I can see is to get rid of me and force the negroes into the Democratic ranks for protection.” In fact, leading Democrats in the area had already promised protection against violence to the freed community if they joined the Democratic party. Two months after writing to those at headquarters for assistance (which was declined), Brown “was compelled to flee from my station” as a “band of desperadoes hover[ed] about the city.” The “Bureau is a dead letter in this country,” he declared from “exile,” and “is like the grass that grows beneath a plant – it is crushed down by the weight of public opinion supported by the revolver, the bowie knife and the shot gun.” In early 1868 Alex Ferguson had his office broken into, and “all my papers, Records, Contracts & all destroyed and carried into

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<sup>37</sup> David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., December 13, 1868, AC, Letters Received, 1867-1869, reel 10; Excerpt of *Austin Republican*, [n.d.], AC, Letters Received, 1867-1869, reel 13; Special Orders No. 46, August 7, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; B. Twigg to [Headquarters], January 4, 1869, AC, Letters Received, 1867-1869, reel 16; Affidavit of Henry Spencer (fm), December 27, 1868, AC, Letters Received, 1867-1869, reel 15; David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., December 12, 1868, SAC, Letters Sent, March-December 1868, reel 13; David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., December 17, 1868, AC, Letters Received, 1867-1869, reel 10; David S. Beath, Bastrop, to Charles A. Vernou, December 13, 1868, AC, Letters Received, 1867-1869, reel 10; David S. Beath, Bastrop, to Charles A. Vernou, December 18, 1868, AC, Letters Received, 1867-1869, reel 10.

the streets.” He also received four anonymous notes warning him that he would have to leave once the troops had left. Ferguson was confused at these actions by the whites, for he thought he had performed his duty impartially and ably with little reason for criticism. He wrote a letter to the citizens of Nacogdoches to ask them “if I had not done my duty as an agent of the bureau my wish was that they inform me of the fact to my face and not in such a manner.” Officials at headquarters offered a thousand-dollar reward for information that would lead to the arrest of the vandals, but no one came forward with information.<sup>38</sup>

In Huntsville, William H. Howard reported that a party of armed white men threatened to kill him after the agent informed Bureau officials about their misdeeds. Fred W. Reinhard informed superiors of the possibility that Crockett authorities would sue him in civil court. The scalawag agent, John H. Morrison, had a difficult time at his post in Palestine in early 1868. Since the troops had left the area, Morrison had to countenance daily insults and was powerless to force the planters to pay their workers (in all, local planters owed nearly two thousand dollars in back pay to the freedmen). Individuals claiming to be Klan members threatened local officials and burned two freedmen’s schools. Morrison even reported that he had been assaulted in his own office. In Kaufman, Thomas C. Griffin informed headquarters officials that “some unknown persons” had destroyed the freedmen’s school and tried to kill the Bureau teacher, who fled the county. Gregory Barrett was frustrated at the actions of local officials in Tyler. They not only refused to assist with the arrests of those who had threatened him, but the officials also

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<sup>38</sup> DeWitt C. Brown, Paris, to C. S. Roberts, A.A.A.G., September 30, 1868, AC, Reports of Operations and Conditions, August-October, reel 27; DeWitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., September 5, 1868, AC, Letters Received, 1867-1869, reel 10; DeWitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., November 13, 1868, AC, Letters Received, 1867-1869, reel 10; Richter, “Revolver Rules the Day!” 319; Dewitt C. Brown, Paris, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Alex Ferguson, Nacogdoches, to J. P. Richardson, A.A.A.G., April 15, 1868, AC, Letters Received, 1867-1869, reel 11; DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; DeWitt C. Brown, Paris, to C. S. Roberts, A.A.A.G., October, 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27.

“determined that no more arrests shall be made by the military, and to nullify the laws of Congress.” Barrett admitted that the “constant watching” had taken its toll on him. Violence in Ebenezer Gay’s district got so bad that he reported that many whites, including former Confederates, “expressed a desire to assist” the Freedmen’s Bureau and the military in “suppressing violence and disorder.” According to Gay, the whites in his district were “disgusted at their old Secession leaders and desire to have peace.”<sup>39</sup>

While chairing a voter registration board, Albert A. Metzner wrote that some white men entered the room, fired a shot to announce their presence, and threatened the lives of the board members. Metzner complained that the local authorities had not arrested the guilty parties, although their identities and whereabouts were known by everyone in town. The justice of the peace, in fact, was rumored to have told the perpetrators, “Go ahead boys, drive those d-d Yankees out.” This same justice of the peace had earlier threatened Metzner’s life. While talking with some white men, Metzner foolishly “expressed his political sentiments.” Suddenly, the men he was talking with drew their revolvers and threatened to shoot him. Although they did not shoot Metzner, they did promise to hang him. Shaken up by this ordeal, and having received creditable information that there was “a conspiracy to kill” him, Metzner left his post and fled to the state capital. “I have frequently received anonymous communications threatening my life,” he wrote, “but I paid no attention to them, and became alarmed only when I was satisfied that my life was in danger.” After an investigation, the VRC officer was released from any further Bureau service for neglect of duties (absence without authorization from his district) and

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<sup>39</sup> Thomas C. Griffin, Kaufman, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., August 14, 1868, AC, Letters Received, 1867-1869, reel 10; Ebenezer Gay, Austin, to Charles A. Vernou, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William H. Howard, Huntsville, to Charles A. Vernou, A.A.A.G., October 1868, AC, Letters Received, 1867-1869, reel 12; Charles A. Vernou, A.A.A.G., to Fred W. Reinhard, A.A.A.G., May 28, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. A. Wright to O. O. Howard, April 3, 1868, AC, Letters Received, 1867-1869, reel 16.

intemperance (see Chapter 4).<sup>40</sup>

The field agent in Wharton County, Nesbit B. Jenkins, worried about performing his duties once the troops in his subdistrict left. He asked military officials to reconsider their orders reassigning them, stating that he “would be subjected to every kind of abuse and indignity if indeed his life was not sacrificed.” Jenkins even asked to be relieved as soon as possible if he could not be protected from white outrages. Reynolds denied his request. Within months after the soldiers were removed from his district, Jenkins began to have problems. His time was “marked by continual disturbance and attempts [by] the disloyal element to bring on a conflict.” In that hostile crowd, one man stood out. It all began when George Quinan, a lawyer and a thorn in the side of previous SACs in Wharton County, disrupted a judicial proceeding. He entered the courthouse and disrupted an examination of witnesses in the case of a “most foully and brutally murdered” freedman, who had been “mutilated by cutting off his *penis*.” Quinan verbally abused court officials in a “shameful and disgraceful manner.” His verbal attacks were then turned upon Jenkins, and he warned the Bureau man that he would be killed if he tried to arrest him. Quinan left the courthouse, only to return armed. He demanded the release of the prisoners being held for the murder of the freedmen.<sup>41</sup>

With no troops, Jenkins was powerless to arrest Quinan, which only encouraged others to resist his authority. For example, whites held a Democratic party rally at the courthouse. Many

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<sup>40</sup> Albert A. Metzner, San Augustine, to [Headquarters], [1868], AC, Letters Received, 1867-1869, reel 13; Albert A. Metzner, San Augustine, to Charles A. Vernou, A.A.A.G., June 23, 1868, AC, Letters Received, 1867-1869, reel 13; Special Orders No. 44, July 3, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19. While at San Augustine, Albert A. Metzner also had to fight a lawsuit by a citizen, after the agent sold the man’s horse to satisfy his debts (See Albert A. Metzner, San Augustine, to J. P. Richardson, A.A.A.G., April 11, 1868, AC, Letters Received, 1867-1869, reel 13).

<sup>41</sup> Nesbit B. Jenkins, Wharton, to J. J. Reynolds, February 13, 1868, AC, Letters Received, 1867-1869, reel 13; Nesbit B. Jenkins, Wharton, to Charles A. Vernou, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-December, 1868, reel 27; Statement of Gray Shanks, July 25, 1868, AC, Letters Received, 1867-1869, reel 13; L. S. Barnes, Inspector, to [Headquarters], July 25, 1868, AC, Letters Received, 1867-1869, reel 13; Nesbit B. Jenkins, Wharton, to J. P. Richardson, A.A.A.G., March 4, 1868, AC, Letters Received, 1867-1869, reel 13.



people came to the political rally “for no other purpose than to abuse or hear the abuse of the military appointees.” Jenkins was listening to the speeches from a room in the courthouse when some white men entered. One of the men began criticizing the Radical Republican party. He then “turned his attention to” Jenkins, calling the SAC a “God damned Son of a Bitch[,] a G-d d-d liar and other such terms. . . .” Not wanting to anger the man any further, Jenkins ignored him and left to go to his room. The man followed the Bureau man to his room and asked permission from the agent’s roommate to enter and rest awhile. “Very soon however,” Jenkins wrote, “he began to talk politics . . . and turned to me and asked me what my politics were.” Jenkins politely refused, telling the man his politics “were my own that I never discussed politics and that I did not wish to do so now.” This angered the man, who began “making many insulting insinuations” against the agent. Jenkins, annoyed by this attack in his own room, told the man that he had no right to talk to him in that manner and that he “did not feel warranted to engage” him.<sup>42</sup>

At that moment, the man leaped from the bed and lunged at the SAC. Jenkins believed the man would have struck him if not for the action of the roommate, who “half pushed, half persuaded” the attacker out of the room. The man, however, simply continued his attack on Jenkins from the street, calling him “every opprobrious term” possible and threatening physical harm. The Bureau agent could not ignore the threats, for there were many witnesses. He decided to arrest the man, but waited until he had sobered up. Jenkins charged him with “personally insulting and using the most abusive language.” The man did not deny the charge and was charged twenty-five dollars. He was jailed until he paid the fine. The man’s attorney, Wells Thompson, wrote to Assistant Commissioner Reynolds for a writ of habeas corpus to get

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<sup>42</sup> Nesbit B. Jenkins, Wharton, to [J. J. Reynolds], October 7, 1868, AC, Letters Received, 1867-1869, reel 13.

his client released. Thompson also implied that Jenkins had been excessive in the way he performed his duties. Officials at headquarters wrote to Jenkins for a report on the incident. Although he did not excuse the actions of the man who had verbally assaulted him in his room, Jenkins did inform Bureau superiors that he believed this incident was mainly due to “the outrageous conduct of George Quinan,” whom Jenkins had to endure “in silence.” He reminded Bureau officers that he had been performing his duties in this hostile community in a fair and honest way all the while without troops for protection. Jenkins defended his actions in the case as self preservation. These people “imagine or pretend to imagine that they have a perfect right to insult and abuse me as soon as my foot has left the office,” he wrote. “If their view of the case is right and sustained, I could not stay in Wharton a day.”<sup>43</sup>

The Freedmen’s Bureau’s waning days emboldened some whites beyond words. In early October one of the most celebrated acts of Reconstruction violence in Texas involved the Bureau agent at Jefferson, Marion County. It all started when former Union officer and carpetbagger George Washington Smith relocated to Jefferson from New York. Smith, a local merchant in town, angered many white Jeffersonians with his insistence on payment of owed debts and especially his political beliefs and activism. An ardent Radical Republican, Smith preached equality between the races, and he socialized with the freedmen in ways that offended the white sensibilities in the area. With the help of the freedpeople, Smith was elected as a delegate to the Constitutional Convention of 1868-1869. On a return trip from that convention, Smith had a bag stolen by members of a local vigilante group called the Knights of the Rising Sun. For the next twenty-four hours, events occurred that would result in Smith and some freedmen being arrested

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<sup>43</sup> Nesbit B. Jenkins, Wharton, to [J. J. Reynolds], October 7, 1868, AC, Letters Received, 1867-1869, reel 13; Wells Thompson to J. J Reynolds, September 23, 1868, AC, Letters Received, 1867-1869, reel 16; Nesbit Jenkins, Wharton, to Sheriff, September 12, 1868, AC, Letters Received, 1867-1869, reel 16.

by local authorities and held in an enclosure in the middle of town.<sup>44</sup>

The town's SAC and post commander at Jefferson, James Curtis, was responsible for guarding the prisoners. Although he ordered a detail of soldiers to the enclosure, Curtis still worried that it was not enough protection should the Knights attempt to get at the prisoners. He was correct, for later that night, a large group of Knights, estimated to be 100-200 men, approached the enclosure where the prisoners were held. Through some trickery, they were able to get the soldiers inside to open the door. At that moment, the group of Knights rushed into the enclosure before the troops had time to react. Hearing the commotion from his office, Curtis rushed to the scene. He immediately began to plead with the Knights, even placing himself between the attackers and Smith (Smith was being held in an iron structure located within the enclosure and separated from the freedmen). Each time Curtis placed himself in front of the iron door, the Knights removed him, the last time with a warning not to interfere again or else. The Knights eventually gained entry into the iron structure and killed Smith. As some of the crowd worked to get at the hated carpetbagger, others took the freedmen from the enclosure and killed two of them. For the next six months, Jefferson was governed by the military, as federal authorities commenced to arrest and try the perpetrators in what became known to Texans as the Stockade Trial. Curtis, who was greatly criticized for his actions that night, was transferred out of Jefferson and removed from further Bureau service.<sup>45</sup>

In 1868 two subassistant commissioners were murdered in the performance of their duties. On his way to Dallas to replace William H. Horton, George Eber was robbed and

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<sup>44</sup> For a complete account of the events that night and during the subsequent trial, see Stockade Trial Transcript, Records of the Office of the Judge Advocate General – Army Court Martial Case Files 1809-1894, Record Group 94, Records of the Adjutant General's Office, 1780-1917, National Archives, Washington, D.C., Case PP 629, Box 2582; J. Hayden, Marshall, to Henry Sweeny, Marshall, October 13, 1868, AC, Letter Received, 1867-1869, reel 15. For James Curtis fears about his lack of force, see James Curtis, Jefferson, to J. J. Reynolds, September 19, 1868, AC, Letters Received, 1867-1869, reel 10.

<sup>45</sup> Ibid.

murdered. His murderer(s) were never found or brought to justice. While at Boston, near the border with the Oklahoma Territory, William G. Kirkman constantly battled citizens and local officials. He received death threats and was indicted for murder in September 1868 for shooting a prisoner who tried to escape. During his time at Boston, Kirkman simply survived, living day to day. But his luck ran out. With things deteriorating in northeast Texas in late 1868, Reynolds began recalling his field personnel from the area, including Kirkman, who delayed his departure as he collected his records. As the Bureau man busied himself collecting and organizing the office records, Cullen Baker and his gang arrived in town. Kirkman noticed their arrival and tried to make it to a nearby house to make a stand. Before he made it to the house, however, he was shot down in the street. As the Bureau man's body lay in public, white Bostonians took it upon themselves to insult Kirkman one last time by stealing the money out of his pockets, the watch from his hand, and his horse.<sup>46</sup>

Bureau agents considered desperate measures to combat this violence. One suggestion was to remove all the freedmen from a particular county. S. H. Starr at Mount Pleasant believed the U.S. government owed protection to the freedpeople. "The government has freed the colored people and it is its duty to protect them," he stated. "It cannot be done in this country under the present order of things." He concluded that the only way to guarantee black equality in Texas was to "emigrate them." In order to achieve this, Starr wanted the government to "set aside large tracts of the public domain for the use of the freedpeople; divide it into townships, and farms from fifteen to fifty acres for each family; emigrate the people to these tracts at the public's

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<sup>46</sup> William G. Kirkman, Boston, to C. S. Roberts, A.A.A.G., September 18, 1868, AC, Letters Received, 1867-1869, reel 13; N. B. Anderson to [J. J. Reynolds], September 13, 1868, AC, Letters Received, 1867-1869, reel 13; Richter, "This Blood-Thirsty Hole," 71; George S. Shorkley, Clarksville, to C. S. Roberts, A.A.A.G., October 15, 1868, AC, Letters Received, 1867-1869, reel 15; Thomas C. Griffin, Kaufman, to J. P. Richardson, A.A.A.G., April 11, 1868, AC, Letters Received, 1867-1869, reel 11; J. J. Reynolds to O. O. Howard, March 21, 1868, AC, Letters Received, 1867-1869, reel 16; J. J. Reynolds to O. O. Howard, September 18, 1868, AC, Letters Received, 1867-1869, reel 16.

expense and establish in each township a depot to receive the produce of the farms, dispose of it, and pay over the net proceeds to the farmers. At the depot a supply of everything needed should be kept for sale at reasonable rates. Churches, schools, mechanic shops should be stationed at each depot. A general superintendent should be appointed over each township or county. This guardianship could be withdrawn in a very few years for the freedpeople would soon learn to manage their own affairs.” Charles F. Rand also proposed removing the freedmen to “a place where they can live in safety.” Bureau headquarters in Washington informed Texas Bureau officials that they “could establish a colony on government lands in Louisiana and let the Texas planters cultivate their own lands.” Nothing came of the matter, however. Other agents believed the government should arm the former slaves. Gregory Barrett, for example, wanted to be allowed to “raise a militia force to be sustained at the expense of the county.” Although the idea got the attention of Bureau officers in Austin, the suggestion gained little support, for those at headquarters believed that it “would cause strife.”<sup>47</sup>

More than a few agents believed they could deal with the violence if Reynolds’ policies were not so restrictive. They believed their hands had been tied and complained they could do little more than report outrages. According to these SACs, punishment of those who committed these crimes had been removed from their authority. They expressed their frustration at not being able to protect the freedmen. “I respectfully ask” Charles Haughn pleaded, “that if you consider me competent to use the Authority without abusing it and it is intended . . . that the sheriff shall obey my orders when I am acting in my official capacity that you give me some written instructions that I can present to the sheriff of this county if it shall become necessary.”

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<sup>47</sup> H. S. Starr, Mount Pleasant, to J. P. Richardson, A.A.A.G., March 5, 1868, AC, Letters Received, 1867-1869, reel 15; C. H. Whittelsey, A.A.A.G., to J. J. Reynolds, August 5, 1868, M742C, Letters Sent, October 1, 1867-August 31, 1868, reel 4; Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., June 6, 1868, AC, Letters Received, 1868, reel 10.

Haughn wanted the authority because every time he had previously ordered the local authorities to act, "I am obliged to fight all the Lawyers," and they call a "Democratic meeting" to "discuss my right to act in their case." Only if he can "beat them in arguing," Haughn wrote, will his orders be obeyed. Within a month, however, Bureau officials transferred Haughn to Cotton Gin, a place that he did not "fear to go," but a place "considered by almost every one to be very unsafe."<sup>48</sup>

At Tyler, Gregory Barrett, already a bit annoyed after being accidentally shot when a local citizen dropped a pistol that discharged into his leg, complained that local officials were "determined that no more arrests shall be made by the military." Barrett reported that the civil authorities desired to "nullify the laws of Congress" so as to make "it . . . impossible for me to maintain my position." Instead of relying on local law enforcement, Barrett took matters into his own hands, and used soldiers to make arrests. In response, Smith County residents informed Bureau officials of their subordinate's allegedly "arbitrary oppressive & despotic" ways. Reynolds reminded Barrett that the civil authorities were to make all arrests whenever practical, and that "military aid [would be] given whenever requested." The Bureau chief advised his subordinate that he should bear "in mind that troops are stationed at Tyler to assist the civil authorities in maintaining order as well as protect you in the discharge of your duties." Reynolds' key words, of course, were to assist the civil authorities. "The tenor of the foregoing paragraph indicating that my action in using the troops to make arrests is uncalled for," answered back Barrett. "I have often stated to the Asst Commr that the civil authorities will not make arrests of criminals and that no one has yet been arrested by them in this Sub District . . . I have

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<sup>48</sup> Charles Haughn, Waco, to [Headquarters], October 2, 1868, AC, Letters Received, 1867-1869, reel 12; Charles Haughn, Waco, to [J. J. Reynolds], November 14, 1868, AC, Letters Received, 1867-1869, reel 12; Charles Haughn, Waco, to C. S. Roberts, A.A.A.G., [October 1868], AC, Reports of Operations and Conditions, August-October, 1868, reel 22.

issued writ[s] time and again and directed them to the civil officers, but in no criminal case have they been executed, and in my opinion no such writs will be executed in the neighborhood until the people are taught a severer lesson than they have yet received.”<sup>49</sup>

William Holt at La Grange complained that the “great difficulty is that I can not attend courts of the different Justices of the Peace” as stipulated by G. O. No. 4. According to Holt, it was simply impossible to be present in court every time to oversee the proceedings. The Bureau agent at Lockhart had questions about allowing local authorities to try civil cases. “I must say with all due respect,” stated Thomas H. Baker, “that I cannot see why an agent of the Bureau cannot try a civil case if he acts as a justice of the peace . . . In my opinion the Bureau would operate much better for the freed people, if such cases could be tried by Bureau agents.” Other field agents, however, did not criticize Reynolds’ order, believing his policies provided enough protection. They realized that the organization was soon to cease operations in the state, and authority had to be transferred to civil officials. Those who criticized the order were generally those who had to work with uncooperative civil officials. For SACs like William H. Rock at Richmond, who worked with local men who did their duty, General Orders No. 4 was “ample protection.”<sup>50</sup>

Even during the violence and winding down of the Freedmen’s Bureau’s operations in 1868, Bureau officials in Austin still held their subordinates to high standards. One requirement

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<sup>49</sup> Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., August 14, 1868, AC, Letters Received, 1867-1869, reel 10; S. P. Donly to [Headquarters], August 10, 1868, AC, Letters Received, 1867-1869, reel 11; C. S. Roberts, A.A.A.G., to Gregory Barrett, Tyler, August 28, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Gregory Barrett, Tyler, to Charles A. Vernou, September 8, 1868, AC, Letters Received, 1867-1869, reel 10.

<sup>50</sup> William Holt, La Grange, to Charles A. Vernou, A.A.A.G., November 30, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Thomas H. Baker, Lockhart, to C. S. Roberts, A.A.A.G., August 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William H. Rock, Richmond, to J. P. Richardson, A.A.A.G., May 24, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 25. For another example of a Bureau agent believing G. O. No. 4 sufficient, see Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26.

in Reynolds' General Orders No. 4 was vigorous inspection tours to measure the performance of all field agents. Despite his agency's approaching demise and the many complaints about understaffed districts from field personnel, Reynolds did not shy from removing inefficient, ineffective, and corrupt agents. In Huntsville, William H. Stewart did not meet headquarters officers' standards. Stewart, although possessing the commitment and zeal necessary for a Bureau agent, was considered by one inspector to be "mentally incompetent." Furthermore, he had "no education hardly" and could barely read or write, even being unable to copy something before him. Stewart had kept little record of his Bureau activities, and what "he has is perfectly shocking to look at." In addition to his lack of qualifications, he had irresponsible spending habits and wasted money on vice. "I think it very unfortunate that he was appointed," one inspector wrote to Reynolds about Stewart, "as he is in no way fitted for the office and is so sadly lacking in education that I am ashamed that he has ever written and sent a line out of the office." Stewart, either wanting to save face or realizing his own limitations and effectiveness as a SAC, issued a terse letter of resignation. Despite possessing "plenty of animal force" for the position, and with rumors swirling around about the Bureau man's loyalty during the war, Reynolds accepted his letter and relieved him from any further service with the organization.<sup>51</sup>

White Unionists accused A. F. N. Rolfe, the agent at Columbia, of being "continually intoxicated" and associating with the "bitterest of rebels." Reynolds sent William H. Sinclair to investigate the charges, which he found to be true. "His associates have been the vilest of rebels

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<sup>51</sup> William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 5, 1868, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to Charles A. Vernou, A.A.A.G., July 7, 1868, AC, Letters Received, 1867-1869, reel 15; Special Orders No. 36, June 10, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; R. M. Bankhead, et. al., to J. J. Reynolds, June 20, 1868, AC, Letters Received, 1867-1869, reel 10; J. J. Reynolds to O. O. Howard, June 10, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. J. Reynolds to O. O. Howard, July 13, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; William H. Sinclair, Inspector, to AAAG, July 13, 1868, AC, Letters Received, 1867-1869, reel 15; William H. Stewart, Huntsville, to Charles A. Vernou, A.A.A.G., July 5, 1868, AC, Letters Received, 1867-1869, reel 15; Special Orders No. 42, July 13, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19.



and the vilest of men – barroom loafers and common drunkards,” the inspector wrote to his superiors. Rolfe also performed his duties while drunk and “from the barroom . . . to the disgrace of the government he represents.” Rolfe even forged a fellow agent’s signature in order to run up a thirteen-dollar whiskey bill and borrowed money that he refused to repay. In addition to his conduct, Rolfe “had not the least conception” of his duties. His office was in a very unsatisfactory condition and not a single contract had been approved for 1868. Sinclair dismissed him from any further Bureau service, a move Reynolds supported. A. H. M. Taylor, the acting assistant adjutant general at district headquarters on whose recommendation Rolfe had received his appointment in the Freedmen’s Bureau, wrote to Bureau officers in Austin to apologize for his brother-in-law’s behavior. “I am sorry he ever came to Texas,” he stated, “for I feel he has disgraced himself and everyone connected with him.” Otto F. Steinberg, the agent at Gonzales, had previously served as a Bureau agent in Alabama. The veteran of many battles in the Trans-Mississippi Theater during the war, Steinberg had been dismissed from Freedmen’s Bureau service in Alabama after he embezzled funds. Bureau officials in Alabama had tried him by court martial for embezzlement of government property. Steinberg was convicted and sentenced to a penitentiary until the two-thousand-dollar fine was paid. F. Otto Steinberg (the name he went by in Alabama), however, was mistakenly mustered out and relieved from Bureau service “before the findings of the court and the sentence were promulgated.” After Commissioner Howard’s staff informed the Texas assistant commissioner about Steinberg’s past, Reynolds immediately dismissed him.<sup>52</sup>

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<sup>52</sup> Hennell Stevens to [J. J. Reynolds], December 17, 1867, AC, Letters Received, 1867-1869, reel 15; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., January 9, 1868, AC, Letters Received, 1867-1869, reel 15; A. H. M. Taylor, A.A.A.G., District of Texas, to J. P. Richardson, A.A.A.G., February 28, 1868, AC, Letters Received, 1867-1869, reel 16; C. H. Whittelsey, A.A.A.G., to J. J. Reynolds, October 14, 1868, M742C, Letters Sent, October 1, 1867-August 31, 1868, reel 4; General Orders No. 8, August 7, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; William H. Sinclair, Inspector, to J. P. Richardson, A.A.A.G., January 2, 1868, AC, Letters Received, 1867-1869, reel 15; Special Orders

As the Freedmen's Bureau wound down its operations, Bureau agents were ordered to come to Bureau headquarters with all their books and papers and to transfer all copies of contracts filed in their offices to the county clerks. But a number of field agents implored superiors to reconsider their decision, for they wanted to continue their work, fearing what would happen to the freedpeople once they came under civilian "protection." Nesbit Jenkins at Wharton believed that the organization's end would leave "the helpless and ignorant colored race to the cold pity of a hostile world." He urged Bureau and military officers to have "greater caution . . . in appointing of all civil officers and the greatest watchfulness exercised over them in the discharge of their official duties." At Bastrop, David S. Beath also argued that loyal civil officers were necessary before the agency should cease its operations. "I believe if the civil officers were removed and others appointed," Beath stated, it "would be a great consolation to the Freedmen and the Loyal people throughout the County." According to James Gillette, the Bureau's influence "should at once be directed towards inducing such changes in the civil laws of the state as will render the decision of labor claims and collection of debts an easy matter in the office of Justice of the Peace or ordinary courts." He wanted Bureau and military officials to implement a "thorough and rigid examination or inspection" of all justices of the peace to replace those who were incompetent or disloyal. When this was achieved, Gillette believed, then

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No. 2, January 10, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; J. P. Richardson, A.A.A.G., to O. O. Howard, March 25, 1868, AC, Letters Received, 1867-1869, reel 16; William H. Rock, Richmond, to William H. Sinclair, Inspector, January 25, 1868, AC, Letters Received, 1867-1869, reel 15; Arthur B. Homer, Columbia, to J. P. Richardson, A.A.A.G., January 18, 1868, AC, Letters Received, 1867-1869, reel 12; J. P. Richardson, A.A.A.G., to A. H. M. Taylor, A.A.A.G., District of Texas, February 20, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Major Fred Ledergerber to [Headquarters], October 18, 1868, AC, Letters Received, 1867-1869, reel 16; Special Orders No. 59, September 28, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; Special Orders No. 65, November 2, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; C. S. Roberts, A.A.A.G. to William H. Sinclair, Inspector, October 2, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; C. S. Roberts, A.A.A.G., to Otto F. Steinberg, Gonzales, October 24, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. J. Reynolds to O. O. Howard, October 1, November 6, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. J. Reynolds to O. O. Howard, October 1, 1868, AC, Endorsements Sent, September 1867-May 1869, reel 2; Otto F. Steinberg to [Charles A. Vernou], A.A.A.G., October 30, 1868, AC, Letters Received, 1867-1869, reel 15.

and only then should the agency direct all its operations toward education. “It is true that by turning over all the complaints and cases for trial, made in this office, to the civil authority much labor would be saved,” wrote Edward C. Henshaw from Marshall, “but in so doing much injustice and great expenses would attach to these poor creatures; and I earnestly believe that by so doing I would be defeating the very object for which this Bureau was instituted.”<sup>53</sup>

On the last day of December, the Freedmen’s Bureau ceased operations. Its educational responsibilities continued for another year, when the agency left the state altogether. For the men who served under Reynolds, their time as subassistant commissioners was marked by the knowledge that their work would cease at year’s end and that their remaining time in the organization was to prepare the freedmen for the day when they could no longer call on the Freedmen’s Bureau for assistance. Whether caused by Hancock’s General Orders No. 40, the increased white violence, the perplexing and persistent problems with the labor system, or the unwillingness of Bureau agents to want to transfer the responsibility of protecting the freedmen to civil authorities, the transfer of authority and winding down of Freedmen’s Bureau operations was, at times, anything but smooth. Many difficulties occurred in 1868, some of which had begun when the agency entered the state in late 1865. Although Hancock’s order was eventually reversed and the general replaced, Bureau officials in Texas saw the writing on the wall.

Hancock and his attitude about the Freedmen’s Bureau and federal intervention with state

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<sup>53</sup> Nesbit B. Jenkins, Wharton, to Charles A. Vernou, A.A.A.G., December, 31, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., December, 1, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; James Gillette, Bryan, to Charles A. Vernou, A.A.A.G., November 5, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 25; James Gillette, Bryan, to Charles A. Vernou, A.A.A.G., December 10, 1868, AC, Reports of Operations and Conditions, November-December, 1868, reel 28; Edward C. Henshaw, Marshall, to C. S. Roberts, A.A.A.G., November 25, 1868, AC, Letters Received, 1867-1869, reel 12; Circular letter from J. J. Reynolds, December 8, 1868, AC, Issuances and Bureau Rosters of Personnel and Special Orders Received, October 1865-April 1869, reel 19; Circular No. 10, November 17, 1868, AC, Issuances and Rosters of Bureau Personnel and Special Orders Received, October 1865-April 1869, reel 19; David S. Beath, Bastrop, to Charles A. Vernou, A.A.A.G., October 31, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27.

matters reflected the ideas of most Americans at the time. For most 19<sup>th</sup>-century Americans, all that needed to be accomplished had already been accomplished: the Union had been preserved, slavery had been abolished, stability had been returned to the former Confederacy so that they could not wage war against the U.S. again, and citizenship and rights had been granted to the former slaves. Anything beyond this they considered superfluous and possibly even dangerous. The cries from Bureau agents in the state for reconsideration for the sake of the freedmen fell on deaf ears. By late 1868, most Americans believed that the Freedmen's Bureau had served its purpose and that its agents had done all that they could do. In the end, the freedpeople's hopes and subassistant commissioners' desires were "all crushed down by the weight of public opinion.

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<sup>54</sup> For works on the conservative attitude of Americans during Reconstruction, see Les Benedict, *Compromise of Principle*; and William Gillette, *Retreat from Reconstruction 1869-1879* (Baton Rouge: Louisiana State University Press, 1979).

## CONCLUSION

### THE SUBASSISTANT COMMISSIONERS IN TEXAS

In March 1865, in the waning days of the Civil War, Congress created the first social-welfare organization in American history. The Freedmen's Bureau, which was established to help former slaves make the transition from bondage to freedom, had an enormous task bestowed upon it by the nation. Although many criticized the organization and its personnel for one thing or another, the nation as a whole nonetheless entrusted the Freedmen's Bureau with immense power for the time and asked its agents to reverse nearly three centuries of black – and for that matter, white – degradation in the slaveholding South.

Although some have criticized these men for achieving only “a modicum” of what “was owed,” subassistant commissioners, considering the condition of the freedmen at the war's end, achieved what one historian called “near miracles.” By the time the Freedmen's Bureau ceased operations in the state at the end of 1868, its agents had established some order where only chaos had existed, discouraged the South from resuming hostilities against the Union, protected freedpeople against white violence, educated the freedmen, and helped to establish them as self-reliant, individualistic Americans with the same legal rights as whites. Through their presence, authority, and philanthropy, subassistant commissioners established the former slaves as something they had never been in the slaveholding South: citizens.<sup>1</sup>

The average Bureau agent in Texas was generally mature and of northern birth, from the middle and upper middle class and with some military service during the war. Officials in the Freedmen's Bureau shied from those who had been born in the South and those from the planter class in the Old South. Those who did serve as agents entered Bureau service for several

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<sup>1</sup> Carpenter, *Sword and Olive Branch*, 156.

reasons. Some were moved to action by patriotism, others for the opportunity for revenge against former Confederate enemies. Still others simply needed employment. Those in the VRC wanted to prove their worth and make their personal sacrifice mean something more than the status quo antebellum.

Although they entered service for different reasons, and their abilities differed from the superb to the abysmal, from the upstanding to the corrupt, most field agents shared one characteristic: their commitment to the freedmen. They understood the former slaves were their prime responsibility. William H. Heistand certainly spoke for many of his fellow SACs when he stated that his “duties consist [of looking] over the interest of the Freedpeople and in acting as their adviser and protector.” Bureau men in Texas realized that between the two parties – freedmen and whites – the former were the weaker of the two and in greatest need of protection. Thus, they showed a slight bias in the freedmen’s favor, guided “by equity – paying little attention to the technical violations of contracts, as . . . the employer has a decided advantage over the employee, and can with little difficulty get an abundance of evidence to prove his point.” In the words of agent George C. Abbott, Bureau men in Texas believed “it only fair play . . . to look out for the Negroe, for . . . the white men [were] fully competent to look out for themselves.”<sup>2</sup>

White Texans were aware that Bureau agents were “friend[s] to the freedmen,” and many Texans resisted these men at every turn. Former Rebels expressed nothing but anger, resentment, and disgust for Bureau men, but freedmen appreciated and respected them, having the confidence to bring all their problems to SACs for redress. “Where a Sub Commissioner

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<sup>2</sup> William H. Heistand, Hallettsville, to A. H. Lathrop, A.A.A.G., December 31, 1866, SAC, Letters Sent, May-June, 1866 and October 1866-March 1868, reel 21; Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., February 28, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; George C. Abbott, Hempstead, to E. M. Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

does his duty,” wrote A. H. Cox, “the freedmen have confidence in him and they will obey all that he may say to them and they think it all wright [sic], but where he is constantly doing them wrong they very correctly consider him the worst enemy they have instead of being their friendly adviser in all instances.” Disappointed that they had not received land, that their rights were disputed by most whites, and that a few Bureau men did not honor their commitment to protect and help them, the former slaves’ confidence, on the whole, remained strong toward the subassistant commissioners. “Of course the planter[s] think little of the ‘Bureau,’” wrote Isaac Johnson, “not so, however, with the freedmen.”<sup>3</sup>

One of the most important responsibilities of subassistant commissioners was protecting the freedmen from white violence. Throughout Reconstruction Texas, whites threatened, assaulted, and sometimes murdered freedmen for the slightest offenses. Those “unreconstructed” individuals were still in the mindset of antebellum Texas, and they could not bring themselves to accept the outcome of the war or the former slaves’ new status. Bureau agents, who were a painful reminder to former Confederates of what was lost, were to ensure that the former slaves were treated as free men and women. White violence was not as big a problem for some field agents as others. In fact, more than a few men, assigned to subdistricts with very high or low populations of freedmen and located near or along the coast, reported to superiors that they did not need troops to protect the freedmen. At certain times, particularly after passage of the Reconstruction Act of 1867 and before voter registration, those men in the interior even reported no need for soldiers. The Bureau agents making these reports were some of the ablest and most respected in the state. Charles F. Rand, Edward Miller, William H. Rock, A. H. Mayer, and N. H. Randlett, among others, all served in districts that, according to them, did not require

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<sup>3</sup> A. H. Cox, Liberty, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26; Isaac Johnson, La Grange, to E. M. Gregory, March 10, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17.

soldiers. Although the position of subassistant commissioner could be fraught with danger, more than a few Bureau agents served in districts that did not require soldiers to protect the freedmen.

Other districts did require the presence of troops when white violence paralyzed attempts to protect the freedmen. In places where white Texans refused to accept the war's outcome or wanted to reestablish white, political control, the best efforts by those men fell well short of perfection. In fact, these agents could do little more than document outrages against freedmen, request (at times order) that civil authorities arrest the alleged perpetrators, or hope the violence would stop. Many whites evaded punishment for crimes against freedmen because Bureau agents' power was limited. The lack of Federal troops (or the unwillingness of military officials to deploy them) in the interior of the state and 19<sup>th</sup>-century Americans' hesitancy to use the military to solve what they believed was a civil matter were major restrictions on the power of Bureau agents. Even had officials at headquarters been able to blanket Texas with SACs, equipped with all the cavalry and infantry that some later students of Reconstruction believed necessary to enact reform, the plight of the freedmen probably would not have been significantly different, for "bayonets cannot reform hearts and minds." Although 19<sup>th</sup>-century America's outlook on federal government welfare and activism certainly restricted the use of military power, the inability of most whites to accept the freedmen as individuals who were guaranteed "life, liberty, and the pursuit of happiness" was the major factor in what some historians call the "failure of Reconstruction."<sup>4</sup>

With few troops available to assist in protecting the freedmen, field agents had to turn to other means. The most effective weapon was Bureau courts. With little legal training or knowledge of the law, and with confusion about their authority and jurisdiction, SACs were

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<sup>4</sup> For those works that criticize the lack of troops during Reconstruction, see Richter, *Overreached on All Sides*, 295, 300, 302-305.



guided by common sense and a sense of fair play. George C. Abbott best expressed the policy many men followed to decide cases that came before them: “Do as [I] would have been done.” They ruled according to what they perceived to be just and equitable in order to “bring the complain[an]t and accused to a mutual and satisfactory understanding.” Although this could be done with a fine or a short jail sentence, most Bureau agents preferred to resolve disputes with a warning, advice, or lecture. Since these proceedings were informal, SACs did not have troops to back up their authority on many occasions. This added to the hesitancy of those at Bureau headquarters to circumvent the civil courts and limited the judicial role of their field subordinates. The effectiveness of Bureau courts relied heavily on the plaintiff’s willingness to appear for the hearing or willingness to abide by the ruling. Thus, agents had to use persuasion and threats of harsh punishment to increase the chances of white compliance. “A failure to comply with the above [decision],” wrote John F. Stokes, “will cause more inconvenience than so simple a matter will warrant.” Furthermore, Bureau men had to be willing to compromise in order to obtain justice, for they realized their limitations and wanted to prevent disputes from escalating. In the end, subassistant commissioners knew that their judicial powers were limited in protecting the freedmen.<sup>5</sup>

Beyond Bureau courts and troops, those agents in the field had other means to protect the freedmen. One measure was to educate the planters that fair treatment of the freedmen increased profits. For years before Reconstruction, free labor proponents had tried to show southerners the superiority of the “Yankee way of doing business.” Field agents tried to educate the planters that their interests were tied to the former slaves and therefore, focused on the planters’ “pecuniary point of view.” As DeWitt C. Brown wrote, the “freedmen are treated kindly by their employers,

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<sup>5</sup> George C. Abbott, Hempstead, to E. M. Gregory, November 23, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; John F. Stokes, Columbia, to W. L. Perry, May 21, 1867, SAC, Letters Sent and Register of Letters Received with Endorsements, April 1867-Novmeber 1868, reel 15.

not from feelings of kindness or interest but simply because its policy[,] otherwise their hands would give up in weeks.” Those planters who treated their workers fairly and honestly had no problem procuring labor for the next year and generally realized increased profits. Those planters who cheated, abused, and swindled their hands, on the other hand, experienced difficulties procuring labor for their plantations and decreased profits. “[A]s selfishness was the enslaver of the negro,” Bureau agents hoped, “it will now be one of the means of his elevation.”<sup>6</sup>

Not all planters, however, understood – or even cared – to deal honestly with their hands to benefit their bottom line. Throughout Reconstruction, planters often did things contrary to their financial interests. In some counties, agents noticed a greater proclivity by planters to deal honestly with the freedpeople. In others, however, they saw an unwillingness to do so. As a result, agents looked for other ways to help the freedmen. Some Bureau men, like James P. Hutchison, Albert A. Metzner, L. S. Barnes, and Joshua L. Randall, encouraged shares (i.e., sharecropping), believing that the freedmen worked “harder when they are interested in part of the crop.” Furthermore, they thought it easier to ensure the freedmen’s portion of the crop at harvest time. Other agents, however, like A. H. Mayer, Lemuel K. Morton, A. G. Malloy, and Charles H. Morse, preferred the freedmen contract for monthly wages, realizing the dangers inherent with sharecropping (bad weather, etc.) and arguing that it prevented violence against the former slaves. The role Bureau agents had in the rise of sharecropping in Texas appears, at best, peripheral, for there was little consensus on which system of contract to encourage. A particular Bureau agent’s preference dictated which system he promoted to freedmen in his district. In fact, by the time Bureau officials issued orders to encourage the freedmen to contract for a share of the crop, the system had already been in practice between planters and freedpeople for some

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<sup>6</sup> DeWitt C. Brown, Wharton, to J. T. Kirkman, A.A.A.G., April 3, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; S. J. W. Mintzer, Surgeon in Chief, to [E. M. Gregory], December 1, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

time. Only after the system started to become the preferred way of payment between planters and their workers did the Freedmen's Bureau begin to encourage it. In Texas, sharecropping developed more out of the push and pull between the freedmen, the planters, and the market and very little from any Bureau policy or preference.<sup>7</sup>

Bureau agents knew the day would come when the freedmen would no longer have the agency's assistance and protection. The freedpeople would have to "stand on their own feet" and protect themselves. This, it was thought, could be achieved through the ballot box. Subassistant commissioners in Texas not only protected the freedpeople's right to register and vote, but actively worked for Republican party victory. Agents encouraged (a few Bureau men even joined) the freedmen to organize Loyal Leagues, recommended the removal of Rebel office holders to be replaced by loyal men, and influenced the freedmen to vote "for their friends" who had granted them freedom (i.e., the Republican party). "I told them," F. B. Sturgis admitted after some freedmen called on him for "advice" on who to support, "they must vote with the party that shed their blood and spent their money in giving them liberty." He left them with the warning that if they voted "with the south" (i.e., Democrats), they would be "legislated [sic] back into slavery."<sup>8</sup>

Field agents in Texas encouraged and advised the freedmen to vote for Republican candidates, or those whom agents called "loyal candidates." Agents fully understood the influence they had with the freedmen, and they used it. "[T]hey can control more of the freedpeoples [sic] votes than any other class of persons," wrote William H. Sinclair, and "a word from the 'Bureau' . . . will be received with the most confidence and they will act as he suggests

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<sup>7</sup> James P. Hutchison, Columbus, to William H. Sinclair, A.A.G., August 14, 1866, AC, Letters Received, 1866-1867, reel 6.

<sup>8</sup> F. B. Sturgis, Marlin Falls, to J. T. Kirkman, A.A.A.G., July 16, 1867, AC, Letters Received, 1866-1867, reel 8.

before that of any one else.” Bureau men in Texas worked – on a few occasions campaigned – hard “in order to secure the vote of the colored” for the Republican party. Their political work, however, was often done covertly, rarely out in the open. Officials at headquarters, in fact, warned subordinates about public, partisan acts and prohibited agents from actively seeking political office while serving in the Freedmen’s Bureau.<sup>9</sup>

Bureau officials worried that open displays of partisanship would be met by acts of violence by the white community and would cause violence against the freedmen. Thus, much of the political work by SACs was covert. “I will defy any one to get it,” Charles E. Culver stated about a “sign” in a speech he gave to the freedmen about who to support politically, “or make them [the freedpeople] vote [for them] without getting the sign . . . The best joke is I done it right under the noses of those who came to see what was said & done.” According to Joshua L. Randall, the freedmen “will vote as the Bureau agent instructs [because they] believe in him [and] know what he [the SAC] is sent among them for and will obey him in every respect.”

Bureau men understood that a strong Republican party in Texas was a way to protect the freedmen after the Freedmen’s Bureau left the state, and thus, they campaigned for that party’s victory. Furthermore, a strong Republican party would greatly benefit Bureau men in their work. In other words, if the Republican party controlled Texas, according to Philip Howard, “the Bureau might be done away with . . . But so long as a Rebel is in office . . . the Freedmen will require [our] protection.” Subassistant commissioners in Texas were active in politics and

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<sup>9</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., April 1, 1867, AC, Letters Received, 1866-1867, reel 8; Albert A. Metzner, San Augustine, to James C. Devine, Galveston, August 14, 1867, AC, Letters Received, 1866-1867, reel 7.

assisted the Republican party because it benefitted the freedmen and assisted the organization's overall mission in the state.<sup>10</sup>

One of the most basic ways that these men provided protection to the freedmen, one that some historians have overlooked, was through their mere presence. Bureau agents, although often alone and without many troops at their disposal, realized their presence had an impact on the behavior of whites and on the psyche of the freedmen. According to William H. Sinclair, the "real business" of the Bureau agents "does not by any means represent the actual value they are to the freedpeople." DeWitt C. Brown described conditions in Paris, Lamar County, that were quite chaotic. He wrote superiors about the protection offered by his presence. "The disposition and feeling of the people of this Sub District is extremely malicious towards the Freedpeople," Brown noticed. "They are in the habit of using such language as 'if it was not for that damned Bureau I would shoot their brains out.'" Bureau agents' effectiveness worked in a "silent manner" as their presence in the county prevented innumerable outrages, cheatings, and assaults. "The people think the S.A.C. can get troops by asking for them," wrote Louis Stevenson, "were it not the case then difficulties would occur where none [had] – which shows that they can be kept in order by the moral force of the prospective return of troops."<sup>11</sup>

With the passage of the Texas Black Code, the protection Bureau agents afforded freedpeople became all the more important. State lawmakers hoped to circumscribe the former slave's freedom with these laws, especially through restrictive labor and apprentice laws.

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<sup>10</sup> Charles E. Culver, Cotton Gin, to [J. T.] Kirkman, A.A.A.G., July 5, 1867, AC, Letters Received, 1866-1867, reel 4; Joshua L. Randall, Sterling, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20; Philip Howard, Meridian, to Charles Garretson, A.A.A.G., September 30, 1867, AC, Letters Received, 1866-1867, reel 6.

<sup>11</sup> William H. Sinclair, Inspector, to C. S. Roberts, A.A.A.G., August 24, 1868, AC, Letters Received, 1867-1869, reel 15; DeWitt C. Brown, Paris, to J. P. Richardson, A.A.A.G., November 30, 1867, AC, Reports of Operations and Conditions, November-December, 1867, reel 23; Louis W. Stevenson, Columbus, to Charles A. Vernou, A.A.A.G., June 30, 1868, AC, Letters Received, 1867-1869, reel 26.

Bureau men were ordered to disregard the labor law but enforce apprentice contracts if local officials applied it equally to both blacks and whites. So long as counties refused to care for their black indigents, so long as indigent and orphaned freed children existed, and so long as some black parents remained unable to care for their children, apprenticing would be necessary.

Despite later indictments from historians about the practice, apprenticeship was an accepted alternative to starvation and dependency for 19<sup>th</sup>-century America. Alex B. Coggeshall was “fully satisfied that in some cases [apprenticing] would be for the interest of the minor.” But Bureau agents in Texas did not uphold contracts under all circumstances. If they determined a contract to be illegal or unjust, they did not hesitate to break it in the interest of the child and return the minor to its parents or guardians. SACs used their “best judgment” to determine the “child’s best interest.” In Texas, the right of the mother was upheld only if she was capable of caring for her children and she was not deemed to be morally unfit. A few field agents were excessive in their course, abrogating all apprentice contracts regardless of whether they were fair or signed in accordance to law; a few other agents abused their authority and used the apprentice system to help former masters obtain labor. Because it relied so heavily on the individual agent’s judgment and sense of fairness, the Freedmen’s Bureau’s apprentice policy was never uniform, and, at times, much confusion and uncertainty existed. In essence, the organization’s apprentice policy in Texas was determined by each agent on a case-by-case basis. Not all parties were satisfied, and on some occasions Bureau agents certainly erred in their decisions. Nonetheless, subassistant commissioners acted in way they believed to be the child’s best interest. In some cases, that meant upholding a legal apprentice contract, and in others that meant voiding it. Although they enforced some apprentice contracts, most Bureau men made

sure that, in the words of agent John H. Morrison, the apprentice contract would not be “enforced in the spirit in which [it was] passed by the legislature.”<sup>12</sup>

Bureau agents also protected the sanctity of freedpeople’s marriages. These men had to teach the former slaves about what it meant to be husband and wife. Bureau men understood it was their obligation to educate the former slaves about marital obligations, and they tried to approach infidelity and “cohabitation” by freedmen with understanding rather than judgment. According to B. J. Arnold, “ninety nine of the Negroes in a hundred might be found guilty of” adultery “as they do not realize that it is a crime since they have never been taught the contrary.” In order to “teach the contrary,” Bureau agents generally resorted to the course followed by James P. Butler at Huntsville. “I counsel and advise with them,” Butler wrote, “and tell them the best mode to pursue.” Agents generally used their best judgment in order to correct the many “existing evils” among the former slaves. Their personal preference, philosophy, and opinion greatly influenced how they instructed the freedpeople about proper behavior and marital obligations, for few guidelines came from superiors on the issue. In many regards, agents’ judgment was the Freedmen’s Bureau’s policy. Through compassion and advice and, at times, punishment by fines and short jail sentences, Bureau agents tried to correct generations of ignorance and behavior contrary to 19<sup>th</sup>-century American values and help the freedmen learn the ways of citizens.<sup>13</sup>

SACs made the black man the head of his family, bestowing upon him the mantle of provider and protector of his family. In so doing, they relegated freedwomen to a subordinate

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<sup>12</sup> Alex B. Coggeshall, Bastrop, to J. T. Kirkman, A.A.A.G., February 5, 1867, AC, Letters Received, 1866-1867, reel 4; John H. Morrison, Palestine, to J. P. Richardson, A.A.A.G., January 31, 1868, AC, Reports of Operations and Conditions, January-February, 1868, reel 21.

<sup>13</sup> B. J. Arnold, Brenham, to E. M. Gregory, October 30, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; James P. Butler, Huntsville, to J. T. Kirkman, A.A.A.G., May 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

position, as summed up by Samuel C. Sloan when he stated he followed the old common law maxim that the “husbands controls the wife.” Bureau agents generally protected women within their marriages. On the whole, in fact, they granted freedwomen many rights. Since Bureau agents were guided by their judgment, they based many of their decisions on common sense or what they deemed to be just and fair. “I did only what I thought was right and just in the matter,” John Dix stated in a case between a freedman and his wife. Thus, freedwomen were not allowed to be cheated out of their possessions or wages by their husbands and were not left defenseless against an abusive or neglectful husband. If SACs deemed the child’s best interest to be with its mother, they never hesitated to grant custody to her and force the father to pay for the support of the child and mother. Agents approached each decision on a case-by-case basis. Furthermore, by establishing black men as heads of households, subassistant commissioners held them to a higher standard as providers and protectors of their families and did not hesitate to intervene on behalf of children and women when freedmen did not live up to their “manly duties.”<sup>14</sup>

The Freedmen’s Bureau used not only its field agents to teach the freedmen about their responsibilities but also its schools. Men in the field were responsible for the intellectual as well as moral uplift of the freedpeople. Similar to the assistant commissioners who served in Texas, some agents made freedmen education a priority, while others did not. Considering that each was a superintendent of education for his subdistrict, agents’ responsibilities were quite broad. In fact, their responsibilities incorporated everything short of actually teaching the lessons – on a few occasions, a few even did that. SACs protected the students and teachers from verbal and physical abuse by whites, oversaw the construction or repair of schoolhouses, procured housing

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<sup>14</sup> Samuel C. Sloan, Richmond, to Chauncey C. Morse, A.A.A.G., January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; John Dix, Corpus Christi, to J. P. Richardson, A.A.A.G., March 26, 1868, AC, Letters Received, 1867-1869, reel 11.



for teachers, advised the freedmen about the importance of education, and recommended suitable individuals as teachers. The success of education in a subdistrict, at times, relied on the support of the white, and even the freed, communities. When SACs had the assistance of the white community, they encountered few problems. In places where that assistance was lacking, agents had quite a difficult time. Whatever the circumstances, as a whole Bureau men took an interest in the education of the former slaves, for it would elevate them from the “ignorance of slavery.”

Although most of a Bureau agent’s time was consumed by his mandated duties, a good portion of it was dealing with trivial matters, mere annoyances, strange happenings, or comical and unique events. In the state capital, Dr. Jonathan Donaldson, “a half crazy freedman,” was a “pest” for every Bureau agent appointed to Austin, for they would not allow him “to impose upon the freedpeople by his humbugs” and “*black art.*” Since the office work for the agent at Galveston required clerical assistance, Bureau man William H. Sinclair hired a clerk to help with the workload. Quickly, however, the relationship between Sinclair and Samuel Dodge, his clerk, soured to the point that the agent fired Dodge. Dodge complained to officials at headquarters, claiming that Sinclair had fired him so that he could hire his (Sinclair) brother-in-law, an accusation SAC vehemently denied. “I concluded,” wrote Sinclair, “that he was not a fit man for the place. . . .” He continued:

I did not think him competent to perform the work in the manner I required it done. Moreover, he was a prolific spitter of Tobacco juice over the floor and made my office look more like a Barroom than anything else, a habit I could not correct even after a spittoon was procured. [When asked why he fired and replaced Dodge, Sinclair stated that] I employed [John] Scott, an ex-Military officer, because he was a good penman, is thoroughly conversant with the duties of the office having been for a long [time] a Sub Asst Coms, understands the Reports thoroughly, and does not chew Tobacco.<sup>15</sup>

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<sup>15</sup> Endorsement of letter of Dr. Jonathan Donaldson to Henry A. Ellis, A.A.A.G., September 1, 1867, AC, Endorsements Sent, September 1867-May 1869, reel 2; Endorsement of letter from Dr. Jonathan Donaldson to William H. Sinclair, A.A.G., December 23, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2; Endorsement of letter from William H. Sinclair, Galveston, J. B. Kiddoo, April 20, 1866, AC, Endorsements Sent, April 1866-September 1867, reel 2.

Samuel A. Craig recalled years later in his “Memoirs” a story that he thought quite amusing. “One day I had a call to come . . . some 15 miles away to address [them] upon their duties as citizens,” he wrote, “so I accepted the invitation and on the day I started, I went alone, although I had been cautioned to take a man with me.” Craig further stated:

The way seemed to be very lonely, so I watched loosely the thick patches of woods and the sharp turn of the road. Soon I heard a loud racket, so unaccountable that I became quite nervous. There was swearing, loud scolding tones, loud talk noises like striking. It sounded very strange in the dense forest, usually so quiet. As I rode on it grew louder and louder, until at a turn I discovered a poor old raw boned mule and a horse team, a little old man, rather ragged, with shaggy long hair and beard, sitting among a few bundles in the bottom of an old wagon. He was yelling at the top of his voice at that old horse and mule and pounding vigorously with a stick, [yelling] ‘You Bill; Jim, glang; Geland (bang) hep; hep; there (bang) you lazy good for nothing critters, you git up, git up there, (bang) damn you, don’t you hear? (bang) Get away; damn [you] (bang).’ He sat still, swung his arms vigorously and jerked the lines with the other, spitting over his shoulder at times, but keeping up his yelling and pounding . . . I watched him for a few minutes wondering at such energy, whether drunk or merely his usual habit.<sup>16</sup>

The day-to-day operations of Bureau agents were never-ending. They encompassed all aspects of the freedmen’s lives and created an immense workload. These men had to travel many miles, had to adjudicate many disputes, had to approve many contracts, and had to meet with many people who needed their assistance. Although they had set office hours, in reality, men in the field were never off-duty, performing their duties well into the night and, at times, early morning. Bureau officials mandated that they document their work, which created an immense amount of paper work and only added to their long hours. Although a product of the 19<sup>th</sup> century, the Freedmen’s Bureau had all the trappings of a modern-day bureaucracy. Nearly everything had to be documented, reported, requested, or approved by those at Bureau headquarters. The position of Bureau agent was anything but a sinecure, for these men were “always on duty.”

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<sup>16</sup> Craig, “Memoirs,” 79-80.

When a Bureau agent was not in his office, he generally was in the field, touring his district. Although some agents found ways to cut corners (reporting the same thing as previous months or simply fabricating the information), most agents, it appears, made tours around their districts to obtain the information. A few men had to hire help to assist in this demanding and time consuming task, admitting that “the work of my office is more than I can attend to properly myself.” George C. Abbott stated that “sometimes for a week, I can’t get more than one or two nights sleep, and have often ridden forty miles in 24 hours besides attending to my office duties.” According to William H. Rock, he visited every plantation and discovered that was “very *fatiguing* for I am in the saddle every day more or less.” Nonetheless, he found it to be the most effective way to carry out his duties. In addition to the time required to travel their districts for some and the possible danger to travel their districts for others, these required tours sometimes cost Bureau agents more than just time lost. In the late summer of 1868 William H. Howard wrote to explain why one of his reports was late to Bureau headquarters. “[F]orty dollars actual money [has been] paid out of my funds for feed of horse,” he stated, “because I did not send in my Requisition in time, which delinquency General, was occasioned by my devotion to an excessive rush of business in the office during the time . . . The duties of this District are incessant and it is no uncommon occurrence to find me at Six O’clock in the morning attending to business. It was just half past five when I commenced this morning.”<sup>17</sup>

On many occasions, the official duties of the Bureau agents exacted not only a physical or emotional toll but a financial one as well. Bureau men often had to purchase their own stationery and office supplies, feed for their horses, and fuel for their offices. On a few

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<sup>17</sup> George C. Abbott, Hempstead, to E. M. Gregory, December 16, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17; Stanton Weaver, Crockett, to Chauncey C. Morse, A.A.A.G., January 27, 1866, AC, Unregistered Letters Received, 1865-1866, reel 17; William H. Rock, Richmond, to William H. Sinclair, A.A.G., August 9, 1866, AC, Letters Received, 1866-1867, reel 7; William H. Howard, Huntsville, to J. J. Reynolds, September 21, 1868, AC, Letters Received, 1867-1869, reel 12.

occasions, they even hired help, such as scouts or clerks to assist them in their duties. “I have sometimes employed special agents,” wrote Edward Collins, “when it was impossible for me to go myself.” John Dix at Corpus Christi had to pay not only his expenses but the expenses of the detachment of soldiers in his district. “I have not been able to get one dollar refunded,” he informed superiors. “And therefore I respectfully ask your aid in pointing out some way for me to receive the amount I have expended.” Bureau officials discouraged field personnel from such purchases, fearing fraud, theft, and spendthrift ways. But the wishes of officials were impractical, for Bureau agents were forced to use their own money if they wanted to perform their duties. In the end, the bureaucratic delays at Bureau and military headquarters, the lack of funds allocated by Congress to the Freedmen’s Bureau, the impractical expectations and orders from superiors, and the unreliability of mail service in Texas all forced Bureau agents to dip into their own pockets for expenses.<sup>18</sup>

A Bureau agent’s duties consumed a great deal of time and required endless paper work. This paper work probably created more frustration and conflict between headquarters personnel and their subordinates in the field than any other aspect of their duties. Paper work to headquarters was supposed to be sent in a timely and correct manner. If it was late or incorrect, many agents, particularly the civilians who were usually ignorant about military record keeping, received what many of them deemed offensive reprimands and condescending letters from superiors. Men like A. H. Mayer, William H. Rock, Anthony M. Bryant, Fred W. Reinhard, David L. Montgomery, Charles E. Culver, and John Dix, among others, most of whom were among the most respected agents to serve in Texas, drew the ire of their superiors for their improper, incomplete, or “hurried and careless” paper work.

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<sup>18</sup> Edward Miller, Bryan, to J. P. Richardson, A.A.A.G., November 7, 1867, AC, Letters Received, 1867-1869, reel 13; John Dix, Corpus Christi, to J. J. Reynolds, December 5, 1867, AC, Letters Received, 1866-1867, reel 5.

Bureau headquarters' demand for paper work and attention to detail was understandable since it was used to develop policy, to weed out corrupt agents, and to account for money spent. Many agents, however, believed superiors' insistence on perfect paper work was, at best, impractical and, at worst, obsessive, bothersome, and insulting. "The endorsement of the board [the Bureau had a board that determined and approved rates for office rent] in regard to the little matter of office rent," a clearly irritated P. B. Johnson wrote, "is . . . calculated to cut. When I find that I am not more respected by the officers of the Bureau, I shall not consider myself a proper person [to] fill the important functions of S.A. Com." A. H. Mayer, after being accused of "gross neglect" because his papers were incorrect, reminded superiors that he was not an "automaton." In a burst of frustration, Mayer let superiors fully understand just how he, and probably many of his fellow agents, felt when dealing with Bureau headquarters about so-called "incorrect" and "improper" paper work. "You are mistaken," he wrote. "I have been harassed by [your] subordinate unnecessarily." Mayer continued:

No man has more pride in his position and desire that all things emanating [sic] from his office shall be a little better than any one else than I am [but] I cannot perform impossibilities. I notice that a reflection is implied in your communication . . . I have never purchased a single item without first making application in writing or verbally and receiving permission without one exception . . . I suppose I've used thirty pound[s] of candles the past month, now must I perform all the labor of [my] pay for the candles to do it by. For God Sake, send an Inspecting Officer here then *I do know*, that the a/c for oil and candles will be allowed.<sup>19</sup>

Agents in Texas acknowledged their faults, yet many of them believed headquarters' approach was condescending and petty. This only contributed to the frustration and suspicion of some of those in the field toward those at headquarters. According to the SACs, some men at headquarters did not fully understand the rigors and demands of their duties in Texas.

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<sup>19</sup> P. B. Johnson, Woodville, to J. T. Kirkman, A.A.A.G., June 1, 1867, AC, Letters Received, 1866-1867, reel 6; A. H. Mayer, Liberty, to J. T. Kirkman, A.A.A.G., February 3, 1867, AC, Letters Received, 1866-1867, reel 6; A. H. Mayer, Liberty, to J. B. Kiddoo, January 25, 1867, AC, Letters Received, 1866-1867, reel 7.

At the same time they lectured field agents on their responsibilities, Some Bureau officials were not fully upholding theirs. Officers in Galveston often failed to provide their subordinates with the necessary equipment and supplies to perform their duties. In order to get a better idea of the situation, headquarters ordered the Bureau inspector for Texas, William H. Sinclair, to investigate the matter. Sinclair found that the Freedmen's Bureau had not furnished half the stationery necessary to each agent, and "the amount sent them is so meagre [sic] that the cost of sending it by mail (i.e. the postage) amounts to almost the value of the stationery sent." He went on to point out that the allotment was inadequate and "simply a farce," for in one settlement session, an agent can go through almost a month's supply. Sinclair believed the field agents were justified in their repeated requests and complaints. In admonishing those at headquarters for not meeting their responsibilities, Sinclair informed them of the "discouraging and perplexing" feeling among the men in the field. "This subject might to some seem a small matter," he warned, "but to the agents . . . it is not." Bureau officials, suspicious that field personnel were being wasteful, often wondered how they could go through their monthly allowances of supplies. Such an attitude only confirmed to those in the field that place holders in Galveston and later Austin did not truly understand the conditions in the interior. In the words of Charles E. Culver, "You who are so far away from the scene cannot see the picture as it is, nor can I write so as to give you an adequate idea."<sup>20</sup>

The duties of subassistant commissioners went far beyond those mandated by law. Agents in Texas discovered that the needs of the freedmen required not only their time, their patience, and their determination but, on many occasions, their money. Bureau and military officials did not adequately provide the basic office furniture and office supplies to its field

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<sup>20</sup> William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., March 1, 1867, AC, Letters Received, 1866-1867, reel 8; Charles E. Culver, Cotton Gin, to Charles Garretson, A.A.A.G., October 25, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

personnel. Many field agents performed their duties without the necessary equipment. They often complained about lacking tables, chairs, pens, ink, and forage for their horses, among many other things. In order to obtain the necessary supplies, field personnel routinely purchased them out of their personal funds. Other aspects of an agent's job also required they spend their own money. "I have to buy medicine out of my own pocket & Doctor them myself or let them die," wrote Charles E. Culver at Cotton Gin. "I am up night & day & am pretty near worn out. Advise me & assist me if you can, for without you [coming] here you can't imagine the work. I could easily shirk it, but I want to do my duty." Since local authorities refused to care for their black indigent populations, Bureau agents were sometimes left to care for them, which further drained their personal funds. The reason for doing this was best expressed by J. W. McConaughey when, after paying for the burial costs of several dead freedmen with his own money, he stated that they were "left with me, and humanity" demanded they be cared for. Subassistant commissioners in Texas realized that their responsibilities went well beyond approving labor contracts and settling disputes.<sup>21</sup>

Besides office supplies and equipment, officials at headquarters also failed to provide the men in the field the mandated tools "for the proper and regular discharge of their duties." Bureau officials were supposed to provide each agent with copies of all pertinent orders, including Congressional statutes and military and Bureau regulations, which were to guide them in their duties. "Scarcely a day passes in which I do not suffer annoyance and inconvenience from this want," Byron Porter informed superiors, "and this office [is] doubtless not the only one destitute of proper records." In fact, Inspector William H. Sinclair, after a lengthy tour of much of Texas, informed superiors that many field agents were ignorant about their authority and

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<sup>21</sup> Charles E. Culver, Cotton Gin, to J. T. Kirkman, A.A.A.G., August 10, 1867, SUP, Letters Received, 1866-1867; J. W. McConaughey, Wharton, to William H. Sinclair, A.A.G., May 1, 1866, AC, Letters Received, 1866-1867, reel 7.

responsibilities. “This is partly owing to the fact,” he concluded, “that agents . . . have very little to guide them in the performance of their duties.” Such a situation greatly affected field agents, placing them “in a very unpleasant situation so far as their duties and jurisdiction are concerned.” With four assistant commissioners in nearly four years, all with different policies and thoughts on the correct policy to follow, and many orders, some of which were conflicting and confusing, coming from Galveston, New Orleans, and Washington, Bureau agents were hesitant to take bold action, fearing a reprimand from above. For many men in the field, their “duties were too poorly defined and their powers [were] not understood by themselves. . . .”<sup>22</sup>

Even when they possessed all the required orders, circulars, and statutes, confusion remained. Each assistant commissioner issued orders outlining their policies. Some of their orders were designed as corollaries to existing Bureau or military policy, but much of it was to countermand what they believed to be the “flawed” and “misguided” policies of their predecessors. This stream of new guidelines, when many of the previous guidelines had yet to be fully understood, created a situation that left Bureau men swamped with information, much of it confusing and contradictory. Thomas H. Baker expressed the sentiments of many of his fellow agents when he stated “that I have about one hundred and eighty Circulars and Genl. Orders on my table. My time has been so occupied in the performance of my official duties that I could not inform myself relative to their contents.”<sup>23</sup>

Although many SACs needed direction, much of their confusion stemmed from the decentralized manner of the Freedmen’s Bureau. Commissioner O. O. Howard believed most of

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<sup>22</sup> Byron Porter, Austin, to Henry A. Ellis, A.A.A.G., November 2, 1866, AC, Letters Received, 1866-1867, reel 7; William H. Sinclair, Inspector, to J. T. Kirkman, A.A.A.G., March 1, 1867, AC, Letters Received, 1866-1867, reel 8; William H. Sinclair, Inspector, to Henry A. Ellis, A.A.A.G., November 30, 1866, AC, Unregistered Letters Received, 1865-1867, reel 17; William H. Sinclair, Inspector, to J. B. Kiddoo, December 23, 1866, AC, Letters Received, 1866-1867, reel 8.

<sup>23</sup> Thomas H. Baker, Lockhart, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July 1868, reel 26.



the policy in each state “must be left to the discretion of those engaged in [the footwork], as all such things are.” According to Howard, he did not want to institute “one minute system of rules.” This allowed for a decentralized agency, where Bureau agents had latitude to use their best judgment or “to do as was right and proper” when interpreting, implementing, and enforcing orders from above (thus precluding, at times, uniform policies). Bureau agents, thus, approached problems with common sense and based their actions on what they thought were equitable and fair. Whether adjudicating a labor dispute or binding out a child, and despite the lack of guidance from Bureau headquarters, the decisions of Bureau agents were generally supported by their superiors, unless contrary to the agency’s goal or in violation with state or federal law. Ironically, the very thing that helped to cause confusion created a situation that allowed for leeway and greater authority for agents in the field. With so little guidance from superiors, Bureau agents were to the citizens in their districts “The Bureau.”<sup>24</sup>

The difficulty in finding a residence or an office for some Bureau agents only added to their frustration. Considering the Freedmen’s Bureau’s purpose, most white Texans disdained the Bureau agent’s existence and did not want to rent to him. Those men lucky enough to find a place to live were often over-charged, routinely asked to leave because they were bad for business, or simply ostracized and ignored. Gregory Barrett roomed in a hotel in Tyler, but the owner soon asked him to leave after “all the boarders . . . left . . . on account of [the agent’s] presence.” Charles C. Hardenbrook had an office, but it was near a restaurant kitchen. According to a Bureau inspector who visited Hardenbrook’s office, it “hardly sustain[ed] the dignity of the ‘Bureau’ or that dignity which should characterize the position [Hardenbrook] occupies.” Samuel A. Craig stated that “I was utterly tabooed in social ways.” In fact, no one

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<sup>24</sup> Howard, *Autobiography*, 2:363; John T. Raper, Columbus, to E. M. Gregory, November 29, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

would sit with Craig in church or other community functions. The woman who rented a room to Craig went out of her way to ostracize him. The whole time he boarded in her house, Craig recalled, the woman never introduced her two daughters or her friends to the Bureau man, although “we lived in the same house.” To many white Texans, Bureau agents were a painful reminder of military defeat and humiliation. It was also generally thought by many whites that the Freedmen’s Bureau pushed for social equality between the races and that its agents cavorted with blacks in ways no white southerner could approve. Whites considered these men’s behavior odious and kept their distance. Such actions undermine claims that local whites and subassistant commissioners cooperated with each other at the expense of the freedpeople. Furthermore, it makes claims that SACs would ever be accepted by the white community hard to believe.<sup>25</sup>

These men neither desired “social acceptance” from the white community nor colluded with the planters to circumscribe former slaves’ freedom. Most Bureau men in Texas wanted to better the situation for the former bondsmen. They fully understood their responsibility was to protect the freedpeople from white abuse, and they honored that commitment. Agents such as A. P. Delano, J. Albert Saylor, Enon M. Harris, James H. Hogue, and H. S. Johnson did collude with planters, abused freedmen, or cheated the government. In all cases, however, once Bureau officials discovered these men’s improprieties, they promptly dismissed them from the agency.

Men who were discovered to be “planter tools” were the exception, not the rule, for most in the Bureau understood their responsibility was to help, not hinder, the freedmen. Any suggestions, slights, or accusations they had been derelict, corrupt, or ineffective was often answered with a vehement denial. In fact, many Bureau agents learned to countenance the criticisms and epithets from white Texas, something they considered part of the job and

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<sup>25</sup> Gregory Barrett, Tyler, to Charles A. Vernou, A.A.A.G., June 24, 1868, AC, Letters Received, 1867-1869, reel 10; L. J. Warner, Inspector, to Henry A. Ellis, A.A.A.G., December 6, 1866, AC, Letters Received, 1866-1867, reel 9; Craig, “Memoirs,” 79.

dismissed as nothing more than mere annoyances and not worth a response. SACs, however, rarely brushed aside any allegations that impugned their character or reputations, particularly those that accused them of allying themselves with the white community at the expense of the freed community. They reacted in a more forceful manner if the accusations – or at times, insinuations – came from officials at headquarters. These instances frustrated and irritated men in the field. They expected criticism and suspicion from former Rebels, but not from superiors. James P. Hutchison, who was already irritated by false accusations of intemperance, was further angered by a letter he received from superiors that accused him of being under the influence of planters. In his response, he stated:

If watching their interests and guarding them when at stake, listening to all their complaints and differences between themselves and complaints against their employers; investigating every case brought under my observation and awarding justice when in my judgment justice was due; doing for them at all hours of the day and late in the night, sick or well [and] counseling with and advising them. If efforts of this kind can be called neglecting their interest then I must frankly admit that they have been grossly neglected . . . In what way does it appear that I am controled [sic] by the planters[?] Is gold . . . offered in order to bias my judgment; yes, thrust into my face it has been, & into my pockets and hands more than once, but never in any instance have I accepted it or taken it from their presence.<sup>26</sup>

Mahlon E. Davis, after Bureau officials contacted him for an explanation of allegations that he had neglected his duties, responded in a way that certainly expressed the sentiments of many fellow agents who found themselves in a similar situation. “Allow me to inform you,” he wrote,

that this office is situated in one of the most wealthy counties in the state, that there are more Planters & more Freedpeople employed than in any other. Also that I have devoted all my time night . . . as well as day to the interest of the Freedpeople in my Dist. that I have worked faithfully and I believe acted justly and that I do not think proper Justice is done me, when a report like the one which called for this report – a report coming from a man [the man who made the initial complaint] who devoted all his time to making trouble

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<sup>26</sup> James P. Hutchison, Columbia, to Charles Griffin, January 31, 1867, AC, Reports of Operations and Conditions, December 1866-May 1867, reel 20.

for Capt. Craig when he was Agt. here & whom Capt. Craig was compelled to confine in Jail is given credence to.<sup>27</sup>

Subassistant commissioners incurred great hardships in order to honor their responsibilities, not only to the former slaves but to the U.S. government. Each man took an oath, a promise to uphold the laws of the land and honor the Freedmen's Bureau's mission. By doing so, their word and reputations were at stake, something very important in the Victorian period. Most of these men did not fall under the influence of the former masters, partly because their consciences would not permit it and partly because they were suspicious of any attempts by whites to win favor with them. Jacob C. DeGress informed superiors that "I am abused and cursed by Planters (not to my face I can assure you), and all I have to say is that I am proud to have their ill will." George C. Abbott promised that "no amount of ignorance, Rage, or wretchedness should ever bias me to decide unfairly in favor of sleek and well-fed ex-Rebels." They definitely had weaknesses, despite their noble cause, and they were influenced by the prevailing racial thoughts of their day. But most subassistant commissioners in Texas shared the opinion of Bureau agent Abbott, who considered "it only fair play on my part to look out for the Negroe for I believe the white men fully competent to lookout for themselves."<sup>28</sup>

Not only did Bureau agents resist white influence. They tolerated none among their ranks who did not resist and were quick to inform superiors about SACs who did not honor their responsibilities. They realized that the actions of such men reflected adversely on the rest and made their work all the more difficult. "The complaints that are made are not against the Bureau," wrote A. H. Mayer, "in reality, it is against its Agents, who I am sorry to say . . . have

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<sup>27</sup> Mahlon E. Davis, Brenham, to William H. Sinclair, Special Duty, Galveston, January 17, 1867, AC, Letters Received, 1866-1867, reel 5.

<sup>28</sup> Jacob C. DeGress, Houston, to Colonel, July 30, 1865, AC, Letters Received, 1866-1867, reel 6; George C. Abbott, Hempstead, to [E. M.] Gregory, October 31, 1865, AC, Unregistered Letters Received, 1865-1866, reel 17.

abused their positions most shamefully, by usurping to themselves power not vested in them, using their positions for speculation & peculation.” Mayer suggested that Bureau officials create a “thorough system of Inspection – instead of one or two Inspecting Officers,” with an inspector assigned to several subdistricts and authorized to inspect any agent “*without giving notice.*” Those agents who did their “duty & attend[ed] to [their] legitimate business,” he believed, would be prepared to receive an inspector “at *any* time.” He continued, “If not,” they would be “unfitted & unworthy” of their positions. Such oversight was necessary, according to Mayer, for “the sooner the Bureau is rid” of these corrupt, incompetent, and ineffective agents “the better.” Mayer naively claimed that if the Freedmen’s Bureau could rid itself of “unworthy and incapable officers,” it could greatly lessen the resistance from whites. Bureau agents understood what was at stake and the importance of their Reconstruction work. Thus, they were quick to defend their reputations against slights. These men took pride in their positions, their work, and, most important, their reputations.<sup>29</sup>

Each of the four men (there was a fifth, but he oversaw only the organization’s educational responsibilities in 1869) who served as assistant commissioner in Texas brought abilities and beliefs that affected, sometimes hindered, their performance, the performance of their agents, and the overall effectiveness of the Bureau. E. M. Gregory, the agency’s first assistant commissioner, was “the most upright in his own conduct” and “the strongest in his feelings of sympathy” for the former slaves. Gregory was the least realistic in his outlook toward white and black citizens in Texas. His desire for justice for the freedmen was greater than the size, influence, and scope of the Freedmen’s Bureau. Furthermore, he held contempt for the former masters and admiration for the freedpeople (each to a fault) and thereby hindered his

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<sup>29</sup> A. H. Mayer, Liberty, to Charles Garretson, A.A.A.G., October 1, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22; A. H. Mayer, Liberty, to J. P. Richardson, A.A.A.G., November 2, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

ability to lead the Bureau effectively. According to Gregory, the former slaves in Texas were “docile, industrious, orderly, free from serious crime, and with all the substance that goes to make the good citizen.” In the end, he was incapable of seeing white Texans as anything but masters (“not one of whom has ever been punished, or even tried”) and the freedmen as anything but meek victims. Gregory’s adversarial approach, influenced by his “abolitionist” leanings, made him very unpopular with whites in the state. He lacked the “nature, education, or prejudice for getting along harmoniously.”<sup>30</sup>

Gregory had the difficult task of introducing the Freedmen’s Bureau to Texas. When he entered the state in late 1865, he faced a situation that required someone with organizational skills, someone capable of creating something out of nothing. These were skills Gregory lacked. For the nine months he served as assistant commissioner, he failed to expand the organization much beyond his headquarters in Galveston, and when he did extend the agency’s influence into the interior, he had to rely on civilian agents, many of whom were rather troublesome. Furthermore, SACs under him were plagued with shortages of the most basic supplies, and many admitted to being confused about their most basic duties. Certainly some of this was due to bureaucratic delays, the dislocation of war, and the problems inherent in any organization’s beginning. But Gregory shares some of the blame.

His successor, J. B. Kiddoo, believed conditions in Texas were little different from those that existed when the Freedmen’s Bureau entered the state in late summer of 1865. Major problems, some of which existed because of his predecessor, plagued the labor system in Texas, especially the violation of labor contracts through enticement. Kiddoo, a strong proponent of free labor, viewed the Freedmen’s Bureau as the “guardian of the freedman to see that he gets a

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<sup>30</sup> E. M. Gregory to Benjamin Harris, January 20, 1866, AC, Letters Sent, September 1865-March 1867, reel 1; E. M. Gregory to O. O. Howard, June 18, 1866, M752C, Letters Received, May-August, 1866, reel 32; Richter, *Overreached on All Sides*, 288; Crouch, *Freedmen’s Bureau and Black Texans*, 20.

fair and equitable bargain.” He also believed that the organization, contrary to its previous leader in the state, should consider the interests of the planters. Kiddoo ordered SACs to hold the freedmen to their contracts and punish them in Bureau courts if they did not honor their labor contracts. This approach, naturally, endeared him to white Texans in a way Gregory could not have been. Besides labor, Kiddoo focused a great deal of his subordinates’ attention on the moral and educational uplift of the freedmen. No other assistant commissioner took such an interest in the former slaves’ education as Kiddoo. He believed the freedpeople had been stunted by slavery and needed guidance. Most certainly, his view of the freedmen was paternalistic and quite different from Gregory’s. Kiddoo’s opinion of the freedpeople was more pragmatic and realistic. For the foreseeable future, he believed the freedmen’s future would be in the fields.<sup>31</sup>

Kiddoo’s policies endeared him to white Texans but caused problems for his Bureau agents. Whites saw in Kiddoo, mistakenly of course, someone who shared their aspirations for the former slaves and someone who could be influenced. As whites moved to circumscribe the former slaves’ freedom in the spring and summer of 1866, the power struggle and conflict between the Freedmen’s Bureau, planters, and state’s officials began. At the very time white resistance increased, the military was decreasing its numbers, thus making it difficult for Kiddoo to protect the freedmen and his field agents. All this spelled doom for Kiddoo. His superiors blamed him for the worsening situation, increased conflict, and general stalemate throughout Texas. Whether because of his attitude, his drinking, or his pragmatism (which many Bureau officials thought a little too favorable to President Andrew Johnson and his Reconstruction plan) Kiddoo was removed as assistant commissioner in Texas. He was an able leader and was more a victim of circumstance than his personal shortcomings and faults might suggest.

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<sup>31</sup> J. B. Kiddoo to O. O. Howard, July 23, 1866, AC, Letters Sent, April 1866-September 1867, reel 1.

Charles Griffin succeeded Kiddoo. A proponent of the Radical plan of Reconstruction, Griffin revamped the Freedmen's Bureau, and under him it reached an organizational level not matched during any other assistant commissioner's tenure. He specified the boundaries of each subdistrict, attempted to strike a proper balance by transferring some responsibilities to civil authorities at the same time he strengthened his field subordinates' power, streamlined the commands of the military and Freedmen's Bureau in the state, and extended the organization's influence farther into the interior of the state. "[M]y force is not large enough to spread over the state, and by overawing the people, compel the enforcement of the laws," he admitted to Commissioner Howard. "I merely lessened the power of the Sub Asst Commrs [to protect] the freedmen in the most effective manner in my power." During his tenure, in fact, the Bureau reached its zenith in the number of Bureau agents in the field and number of subdistricts. Similar to Kiddoo, Griffin focused a great deal of his attention on the labor system in Texas, particularly securing the freedmen's wages. But his policies, such as the no-lien law and "monopoly order," created problems for the planters, the freedmen, and the Bureau agents, who complained about the confusion it caused and the problems of enforcement.<sup>32</sup>

Griffin not only protected the freedpeople's economic interests but also their rights as voters. Griffin judged that the best protection for the former slaves would be their political power, for the day would come when the Freedmen's Bureau and military could no longer be called on for assistance. He used the weight of the Bureau to protect the freedmen's right to vote, employed his SACs as foot soldiers for the Republican cause, and, throughout his joint command as military commander and assistant commissioner in the state, helped with the removal of "Rebel" officeholders considered impediments to Reconstruction. This more forceful

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<sup>32</sup> Charles Griffin to O. O. Howard, February 18, 1867, M752C, Letters Received, January-May, 1867, reel 44.



approach created, for a brief time in early 1867, rather quiet conditions around the state. The future looked promising and “success” within reach. But it was fleeting because Griffin misjudged the resistance of whites to black voting and whites’ tolerance for the Bureau’s political activities.

The last assistant commissioner of the Freedmen’s Bureau in Texas was J. J. Reynolds. He would oversee its withdrawal from the state. As a result, much of his policy was to wind down the organization by transferring responsibility to protect the freedpeople to civil authorities. He ordered Bureau agents to make the freedmen as self-sufficient as possible. During Reynolds’ term, the main goal of Bureau agents was still to protect the freedmen. But as they provided “all the protection possible with the means at [their] disposal,” agents were also to “leave them free to act for themselves in all things pertaining to their material welfare.” Under Reynolds, SACs served more as advisors than protectors.<sup>33</sup>

Unlike his predecessors, particularly Kiddoo and Griffin, Reynolds appeared to waver in his support to protect his men in the field as the date the Bureau was to cease operations neared. On several occasions, he refused – or was very dilatory – to involve himself on behalf of his subordinates. Furthermore, many of their letters to superiors went unanswered. Fred W. Reinhard at Crockett, for example, who served almost thirty months in the Bureau, faced many accusations by whites in his district. When he discovered that the local sheriff had accepted bribes from freedpeople, Reinhard fined the law man and requested that the sheriff be replaced by a more capable and honest man. Reynolds ordered the fine to be repaid and did not replace the sheriff until the spring of 1869. In other cases, like that of William H. Howard, who had problems with a former Bureau agent, Reynolds refused to get involved and ignored his

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<sup>33</sup> J. J. Reynolds to O. O. Howard, October 20, 1868, AC, Letters Sent, March 1867-March 1869, reel 1.

subordinate's pleas for help. Whether his time was preoccupied with politics, General Winfield Scott Hancock and his G. O. No. 40, the increased violence throughout the state, or the business of closing down the Freedmen's Bureau, Reynolds seemed more willing to "ride out" the remaining days than zealously fulfill his obligations to those under him.<sup>34</sup>

With such a monumental task assigned to the Freedmen's Bureau, its agents certainly did not achieve perfection, leaving much incomplete for later generations to address. When the Freedmen's Bureau ceased operations in the Lone Star State, the former slaves did not entirely enjoy the fruits of emancipation, and throughout the next generation, their freedom would be even more circumscribed with segregation, laws that tied them to the land, disfranchisement, and racial violence. By late 1868, though, the former slave enjoyed unprecedented freedom for a people only recently emancipated from bondage. They could choose their employer and, through the protection afforded by the labor contract and Bureau agent, were compensated for their labor. They had been enfranchised, and for the first time in Texas – and the South for that matter – they became (with the aid of the SACs) a political force to be reckoned with. Bureau agents, despite some recent complaints about their racial beliefs, their old-fashioned attitudes and the organization's "bureaucratic mismanagement," worked hard to achieve this progress for the freedpeople.<sup>35</sup>

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<sup>34</sup> J. J. Reynolds to O. O. Howard, October 20, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; W. H. Cundiff to [J. J.] Reynolds, August 24, 1868, AC, Letters Received, 1867-1869, reel 10; A. T. Munroe, et. al., to Chauncey E. Morse, A.A.A.G., August 17, 1868, AC, Letters Received, 1867-1869, reel 13; A. T. Munroe to [Charles A.] Vernou, A.A.A.G., August 20, 1868, AC, Letters Received, 1867-1869, reel 13; J. R. R. Lynch, et. al., to Edwin Turnock, Commander, Post of Centreville, February 28, 1868, AC, Letters Received, 1867-1869, reel 13; J. P. Richardson, A.A.A.G., to Fred W. Reinhard, Crockett, March 24, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; J. P. Richardson, A.A.A.G., to Fred W. Reinhard, Crockett, February 12, 1868, AC, Letters Sent, March 1867-May 1869, reel 1; Charles A. Vernou, A.A.A.G., to W. H. Cundiff, October 22, 1868, AC, Letters Sent, March 1867-May 1869, reel 1.

<sup>35</sup> Cimbala and Miller, eds., *Freedmen's Bureau and Reconstruction*, 346. For criticisms of the agents' racial beliefs and conservatism and the Freedmen's Bureau's "bureaucratic mismanagement," see Michael Les Benedict, *Compromise of Principle*; Perman, *Retreat from Reconstruction*; and White, "Black Lives, Red Tape," 241-258.

The Freedmen's Bureau was created as a temporary organization, its demise being "preordained at its conception." It was developed to deal with the emancipation of four million slaves and the displacement and suffering of refugees due to the war. It did not have specific long-range goals. It was created to deal with conditions caused by war and emancipation. Contrary to later indictments, the agency was never created to be a lasting institution for relief or social reform. At its core, the organization had immediate goals of establishing free labor, protecting the freedmen in their rights, and preventing the southern states from trying to break up the Union again.<sup>36</sup>

The American people, lawmakers in Congress, and Bureau officials all mistakenly thought these undertakings could be achieved in a year or two, despite the legacy of slavery and the philosophical mindset of most people at the time. Simply put, the nation underestimated the enormity of its undertaking. It was not a matter of commitment, ingenuity, or philanthropy, but rather misunderstanding, ignorance, and timing. There were "no narrowly missed opportunities to leap a century forward in reform." The country at the time did all that it could or would do for the freedmen. Some later historians discount or dismiss these efforts of Reconstruction, claiming they were too conservative or lacked commitment. Although unremarkable by current standards, they were unprecedented at the time. When viewed from the average American's standpoint during the 1860s and 1870s, the activities of the Freedmen's Bureau and its agents were vigorous and unprecedented. In fact, when one considers the attempts by the federal government to remedy social problems that followed in the last decades of the 19<sup>th</sup> century, the efforts by the Freedmen's Bureau and its agents seem truly radical. In the words of historian Martin Abbott,

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<sup>36</sup> Charles Gray, "The Freedmen's Bureau: A Missing Chapter in Social Welfare History" (Ph. D., D.S.W., Yeshiva University, 1994), 1; David H. Donald, *Liberty and Union: The Crisis of Popular Government, 1830-1890* (Boston: Little Brown, 1978), 175-182. For works that criticize the Freedmen's Bureau and its agents for not doing more for social change, see McFeely, *Yankee Stepfather*, 2; and Everly, "Freedmen's Bureau in the National Capital," 101, 126;

the Freedmen's Bureau did not belong in the 19<sup>th</sup> century.<sup>37</sup>

The Freedmen's Bureau might have been out-of-place in mid-19<sup>th</sup>-century America, but its attempts to reconstruct the states of the former slaveholding South were in some ways quite similar to those almost a century later after World War II. A direct comparison between post-Civil War America and postwar Germany is difficult, for Allied officials in Europe governed by policies and rules followed by civilian officials, not by appointing thousands of Allied "field agents" spread throughout the land as happened in Reconstruction in America. Civilian officials in Germany generally remained in power to govern and simply followed the rules and policies that came from the U.S. Army's headquarters. Furthermore, there existed no need in Germany after the Second World War similar to that of emancipating four million people, devoid of all the basic skills to fend for themselves and in a state of deplorable ignorance.

Nonetheless, a cursory comparison of the policy, commitment, and effort by the U.S. in Germany to that of the South is possible. The Office of Military Government, United States (OMGUS), which oversaw the reconstruction and occupation of the defeated Third Reich, had great difficulties in achieving its mission, parts of which were quite similar to the reconstruction efforts in the South nearly a century earlier. Inter-bureaucratic bickering between the civilians in Washington and military officials about what should or could be done, the vague and general policies issued by those in charge, and, quite surprisingly, a rather passive and hands-off approach (only after a more intrusive approach had failed) were all aspects of the occupation of Germany that were comparable to the effort in the former Confederacy. The military officer in charge of OMGUS, General Lucius D. Clay, much like O. O. Howard and his assistant commissioners, had great leeway to form policy, with little interaction and input from those

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<sup>37</sup> Donald G. Nieman, ed., *Freedom, Racism, and Reconstruction: Collected Writings of LaWanda Cox* (Athens: University of Georgia Press, 1997), 275-276; Abbott, *Freedmen's Bureau in South Carolina*, 135.

being reconstructed or occupied.

But unlike Howard and his associates, Clay's headquarters initially interfered to a great extent with the governing of Germany, implementing many policies that the Germans found unwise, intrusive, and ineffective. As a result, initial attempts to reconstruct the country and the German mind and attitude (what was called denazification) and to implant American values faced resistance and limited success. According to Edward N. Peterson, a leading historian of the American occupation of Germany after World War II, the "occupation worked when and where it allowed the Germans to govern themselves." Peterson states that the American military government was not as powerful as believed and had major limitations, especially America's belief in freedom and self-determination. "The capacity of a broadly based domestic party to control a bureaucracy and a people, though limited, is vastly greater than that of an alien army," Peterson writes. He concluded:

Indeed, the American military government could have achieved very little with bayonets or bombs, but that it compelled the Germans so little was also the result of American virtues. The attitudes of these conquerors included ideals of freedom and democracy, though these ideals were occasionally obscured by hatred and pride. No subservient cadre was brought along as the American army's camp follower. [The military government's] noninterference further reflects the pragmatism which Americans also espouse . . . [In reality] the theories of Washington would not mesh with the more compelling realities in Germany. First and foremost, Clay realized that Americans could not govern Germans. The wisdom of the occupation, sometimes belated, was derived in large part from the growing awareness that there were problems which America, in spite of its supposed power, could not solve. It was a wisdom created by necessity. . . .<sup>38</sup>

The Americans' attempts to "reconstruct" the German people were most successful "when they [Americans] tried, and interfered, the least [which allowed for] a practical education in democracy, a case of learning by doing." In other words, "the occupation per se changed very

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<sup>38</sup> Edward N. Peterson, *The American Occupation of Germany: Retreat to Victory* (Detroit: Wayne State University Press, 1977), 9-10, 346-348.

little,” for it “could prevent some things from happening, but it could by itself make very little happen.”<sup>39</sup>

Much of what Peterson finds about America’s efforts in Germany parallels similar efforts by the Freedmen’s Bureau and military in the former slaveholding South. But there was one major difference – better yet, a hurdle – victorious occupation forces in Germany did not have to face what those in the South did. What changed in Germany was the attitude of the people. The outcome of the Second World War caused Germans to reject the philosophies of Nazism and disavow its leaders. All the horrors, the humiliation, the defeat, and the crimes that happened in the conflict, particularly those perpetrated in the name of the German people, essentially denazified Germany and weakened its people’s faith in what drove them to world conquest. The exact opposite, however, happened with the outcome of the American Civil War, where a “defeated” people wavered little in the cause that drove them to war.<sup>40</sup>

The Freedmen’s Bureau’s effort in Texas was founded on faith in the people, faith that white Texans had learned their lesson, faith that they were contrite, and faith that they would cooperate to help the former slaves and to reconstruct the state. Bureau officials, guided by a strong belief in states’ rights, misjudged the faith and willingness of white Texans to aid in this process. Subassistant commissioners, after their day-to-day experiences with civil officers, were frustrated that they had to rely so heavily upon them to protect the freedmen. “My chief difficulty consists in having no force to sustain me or support my authority,” complained Nesbit B. Jenkins, “and consequently I am powerless to give to the freedmen that protection and justice which he expects and claims. I am entirely dependent on the forbearance and temper of a

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<sup>39</sup> Ibid., 165-166, 351, 339.

<sup>40</sup> Peterson, *Retreat to Victory*, 339-341, 346.

community whose animosity to the government, the Bureau & the Freedmen is almost beyond Belief.”<sup>41</sup>

Leaders of the Freedmen’s Bureau failed to anticipate the extent of white resistance to Reconstruction. Most white Texans refused to support or assist anything that helped the freedmen, for they believed equality for the former slaves would come at the expense of whites. “It is impossible for me to [support] any measure which makes the negro the equal of the white man,” wrote Robert W. Loughery, the fire-eating editor of the *Marshall Texas Republican*, who expressed the beliefs of many white Texans “that the negro can never become the political equal of the white man, and whether it is this year, or twenty, or a hundred years from now, the negro will still be a negro, and remain in the subordinate position in which nature has placed him.” The editor of the *Dallas Herald* believed that God intended the black race to be subordinate to the white one. Citing examples in history when black people had been granted rights and privileges and failed to live up to the responsibilities granted to them, the editor defiantly stated that public policy in Texas “should forbid that the negro should ever be entrusted with the exercise of any political rights, or that he should ever be endowed with any rights tending to make him politically and socially equal of the whites.” High Bureau officials, ignorant of how entrenched these beliefs were, failed to understand that white Texans would never “voluntarily participate” in their “own degradation.”<sup>42</sup>

The Freedmen’s Bureau’s attempt to convert white Texans was not so much wrong as it was flawed. Bureau officials in Texas understood that the freedmen and whites had to come to

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<sup>41</sup> Nesbit B. Jenkins, Wharton, to Charles A. Vernou, A.A.A.G., July 31, 1868, AC, Reports of Operations and Conditions, May-July, 1868, reel 26. For works on the federal government’s policy of working with southerners, see Cimbala, “Making Good Yankees,” 14; Edmund L. Drago, *Black Politicians and Reconstruction in Georgia* (Baton Rouge: Louisiana State University Press, 1982), 113-116, 160-161.

<sup>42</sup> Campbell, *Grass-Roots Reconstruction*, 108; *Dallas Herald*, November 25, 1865; Rable, *But There Was No Peace*, 25.

some amicable relationship as the day would come when the Freedmen's Bureau would no longer exist to help manage relations. The error was the misjudgment of the agency's officials about white resistance in Texas. Although the Confederacy had been defeated, the attitude that formed it still remained. The institution of slavery had ended in Texas, but the mindset of most of its white citizens continued. In fact, it was as strong as the day the first shots were fired on Fort Sumter. For most white Texans, the black race was inferior, and whites had to ensure that Texas would remain "a white man's country." Certainly, that could not be achieved by assisting the hated Freedmen's Bureau and its personnel.<sup>43</sup>

If high Bureau officials misjudged the intransigence of whites after the war, many Bureau agents were soon privy to it. They understood that all the surrenders of Confederate armies at Appomattox, all the constitutional amendments, and all the reforms of the Civil Rights Acts could not erase two hundred years of social beliefs and attitudes, attitudes that many Texans were willing to destroy the Union for and thousands of Texas men and boys gave their lives to preserve. By the Freedmen's Bureau's end in 1868, many subassistant commissioners realized their limitations and understood what was really needed in order for the freedpeople to fully enjoy their freedom and for the whites to be reconstructed. According to E. C. Hentig, the Bureau agent in Sherman, Grayson County, the whites "[u]nder the immediate eye of the Bureau . . . are well disposed toward the freedmen and in many cases are inclined to show them justice." But away from the agent's immediate supervision and watchful eye, Hentig noted, the "prejudice against the [freedmen] . . . is hard to eradicate from the breasts of the majority of the population. . . ." William G. Kirkman highlighted the main obstacle to the attempts by the Freedmen's Bureau to reconstruct Texas. "I am of the opinion," he wrote, "that reconstruction that will be

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<sup>43</sup> Foner, *Reconstruction*, 170.



lasting will have to begin at the Heart of those who are now so biased and warped in their views . . .” Kirkman further admitted, “I know of no practicable suggestions to make to render the bureau more efficient . . . to overcome the feelings the southern people have against northern citizens. The feeling they have and always have had I think it has got to be forever done away with before there will be peace.”<sup>44</sup>

Some students of Reconstruction have claimed that a greater show of force could have dealt with the intransigence and resistance of white Texans and helped bring about that peace talked about by Kirkman. If the U.S. government had only supported its activities with tens of thousands of additional soldiers and bayonets, these critics claim, Reconstruction might have succeeded. For example, according to historian William L. Richter, military and Freedmen’s Bureau officials had the necessary troops, particularly cavalry, to keep violence in check. He indicts the federal government’s efforts in Texas, criticizing its inflexible, convoluted, and inefficient command structure as well as its lack of commitment to employ the necessary force to thwart white violence. Federal officials, Richter concludes, finally employed the correct policy in October 1868, two months before the Freedmen’s Bureau was to cease operations in the state. Assistant Commissioner and district commander Reynolds, apparently tired of the chaos in certain portions of Texas and attacks against his subordinates, ordered a squadron from the 6<sup>th</sup> Cavalry to northeast Texas. This unit was under the command of former SACs Thomas M. Tolman and Adna R. Chaffee and was charged with neutralizing the “unreconstructed” in the area. As they swept through northeast Texas, the cavalry men worried little about civility and less about taking prisoners. Adna and Chaffee euphemistically reported outlaws “lost in the

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<sup>44</sup> E. C. Hentig, Sherman, to C. S. Roberts, A.A.A.G., October 1, 1868, AC, Reports of Operations and Conditions, August-October, 1868, reel 27; William G. Kirkman, Boston, to J. P. Richardson, A.A.A.G., AC, Reports of Operations and Conditions, January-February, 1868, reel 24; William G. Kirkman, A.A.A.G., September 30, 1867, AC, Reports of Operations and Conditions, September-October, 1867, reel 22.

swamp” or “shot while trying to escape.” Those not reported “missing” were sometimes abused (hanged by the thumbs), including any citizen who misled the soldiers with false information. The soldiers’ methods were doubtless quite unsavory and were criticized by many white locals as despotic. Nonetheless, the column cleansed the area of much of the outlaw element that had threatened, harassed, and killed Bureau agents and terrorized the freedpeople since the end of the war. Richter sees this as evidence of what might have been had federal officials employed this policy from the start.<sup>45</sup>

What “Chaffee’s Guerrillas” (the nickname given to the column by locals) did worked in isolation, especially to deal with outlaws who respected no authority or laws (state, federal, or otherwise). But, in reality, it would not have been sustainable or practicable as a long-range policy at the time. The American people would not have tolerated placing many thousands of troops for decades in Texas, let alone the entire former Confederacy. Not only would this policy cost an immense amount of money, contradict Americans’ dislike of martial solutions to civil problems, expand the size of the federal government, and require a large peacetime army – an anathema to 19<sup>th</sup>-century Americans – the overall effectiveness and practicality of such a course are doubtful. First, such tactics worked in the short term, but for the long term would have probably proved counterproductive in achieving the main goals of the Freedmen’s Bureau in the state: to reform former Confederates to be loyal citizens, to respect the federal government and its laws, and to accord equality to the former slaves. A litany of examples exists in history of populations being forced into accepting another’s authority at the end of a bayonet. And in each case, the occupier’s desired effect failed to take root, and little evidence exists to suggest white Texans would have been any different. In the end, reform rarely comes at the point of a bayonet.

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<sup>45</sup> Richter, *Army in Texas During Reconstruction*, 146-147; Richter, *Overreached on All Sides*, 299-300.

Furthermore, although the Confederacy had waged war to destroy the Union, it was not exactly like other nations the United States military forces would defeat. This was not some foreign place, with strange and different customs. This conquered people were Americans, and therefore, any policy that kept the former Confederate states in a semi-colonial status for years would have lasting and detrimental consequences for the United States, not to mention the South as a whole. According to noted historian C. Vann Woodward,

[I]n 1865 the democratic colossus of the New World stood triumphant, flushed with the terrible victories at Gettysburg, Vicksburg, and Appomattox. Its crusade for freedom had vindicated the blood shed by its sons, and in the full flush of power and victory and righteousness its leaders solemnly pledged the nation to fulfill its promises, not only of freedom but also the full measure of democracy and racial equality. The powers of fulfillment, sealed by the sacrifices of a victorious war, were seemingly unlimited, though of course they were not. At least the federal government was not a remote transatlantic metropolitan parliament on the banks of the Thames or the Seine. It sat on the Potomac, with General Robert E. Lee's Arlington mansion in full view of the White House windows across the river, and its armies garrisoned the defeated states.<sup>46</sup>

In the end, all the bayonets, soldiers, congressional measures, and Bureau men in the North could not change what white Texans felt in their hearts and believed in their minds. Only time could transform their attitudes about the freedmen and allow for a situation conducive to "peace." Bureau agents in the Lone Star State realized that their – and the nation's – expectations far exceeded their capabilities. The true reconstruction of whites in Texas, the one that aimed at the hearts and minds, would have to be left for future generations and a different federal government. As historian Joe M. Richardson states, "what the freedmen needed after their emancipation was something that no federal agency could secure for them, a change in the attitude of the white South."<sup>47</sup>

Bureau agents protected the black worker as an independent laborer, secure in his rights

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<sup>46</sup> Woodward, *Future of the Past*, 165-166; Rable, *But There Was No Peace*, 190-191.

<sup>47</sup> Richardson, "An Evaluation of the Freedmen's Bureau in Florida," 237.

to receive just wages, to choose an employer, and to own property. With the help of federal and state law, agents established the right of freedpeople to set up a household, they worked to recognize freedpeople's marriages, and, despite the practice of apprenticeship, they tried to establish the rights of black parents to their children. These men further ensured that freedmen had the right to an education and their day in court. And finally, subassistant commissioners protected the former slaves' right of mobility, something they never had while in bondage. Certainly the condition of the freedmen in late 1868 was far from what Americans in the early 21<sup>st</sup> century would consider ideal, but it was also far from "chattel slavery." As historian Willie Lee Rose stated, "the differences between slavery and freedom is about the greatest difference in status we can imagine, no matter how kindly a view some historians want to make slavery, no matter how limited and curtailed freedom may have turned out to be." Their freedom was not curtailed and circumscribed by the efforts – or lack thereof – of subassistant commissioners. Instead, their freedom was limited by circumstances at the time, which were well beyond any institution's or person's control. Not all things were possible after the Civil War and what happened to the former slaves – the failed promises and dashed hopes – is part of the tragedy of a failed Reconstruction.<sup>48</sup>

With knowledge that post-War Americans insisted on free labor and individualism; that 19<sup>th</sup>-century Americans resisted government welfare and adhered to a *laissez faire* philosophy; that northerners were unwilling to treat the former Confederacy and Confederates as a truly conquered nation and people; that the nation's people were hesitant to interfere with the relationship between the federal government and the states; that traditional belief in property rights meant that land redistribution was not going to happen, and that it was not a guarantee to

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<sup>48</sup> Willie Lee Rose, "Blacks Without Masters: Protagonists and Issue," in *Slavery and Freedom*, William W. Freehling, ed., (New York: Oxford University Press, 1982), 93; Higgs, *Competition and Coercion*, 131; Finley, *From Slavery to Uncertain Freedom*, 169.

success for the former slaves as claimed by some; and with the knowledge that white southerners resolved to resist everything short of white supremacy, later generations should be realistic about how much the Freedmen's Bureau could really achieve. Critics of Bureau men sometimes indict them for what they "should" have done. A better question is what "could" they do, considering the times they were living in. That question definitely raises questions about the so-called "failure" of these men and of the federal government's overall efforts during Reconstruction. Subassistant commissioners, no matter how committed they were to the welfare of the freedpeople and no matter how hard they labored, could not achieve the impossible.<sup>49</sup>

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<sup>49</sup> Nieman, ed., *Freedom, Racism, and Reconstruction*, 278.

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