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THE TEXAS "ELECTION OUTRAGE" OF 1886

by Robert W. Shook

Texas shared with other southern states, in the 1880's, a set of political circumstances involving the birth of the Populist movement, the death of the Republican Party, the final termination of Reconstruction reform, and the beginning of Negro disfranchisement and segregation. Any number of examples in the decade might be cited to prove that local events, when placed in perspective, illuminate national policy which in turn rescues local history from antiquarianism. Washington County, Texas, in 1886, serves as an example of the axiom.

Economic conditions during the 1880's gave rise to the Populist revolt against Bourbon platforms of privilege and property, and Conservative Democrats, facing a potential coalition of South and West, retaliated with a restatement of the crusade of the 1870's to save the South from alleged Negro rule. Redemption from corruption and Negro domination was revived and racism applied as a lever for discouraging the poor man's attack. Republican strength, more of which remained in Texas by the 1880's than is generally realized, suffered the same fate as Negro suffrage. Conservative Democrats, using the black vote when possible, decried the initial Populist appeal to color. A coalition of black and white agrarians failed, and poor whites then turned on the Negro in a sense of frustration and failure for which they blamed the colored farmers.¹

In a number of Texas counties contests involving Negro political action generated suspicion, hate, and lawlessness. This struggle was particularly bitter in counties with dense Negro population (Anderson, Brazoria, Matagorda, Washington, and Wharton). In some cases the memory of federal troops and Negro military units was combined with fear of agrarian radicalism to evoke the spectre of a repetition of the events of the late 1860's.²

In Washington County, where 50 per cent of the population was colored, Republicans had retained control from 1869 to 1885. A number of Negro legislators went to Austin during that period from the southeast portion of the county.³ In 1884 a Peoples' Party launched a campaign to expose Republican corruption and misrule, but the charges, in view of general economic conditions, appear exaggerated.⁴

In November, 1886, in an election to fill county, state, and congressional places, the Republican Party offered a full ticket, while Democrats and a few Republicans, representing the "lily white" movement, supported the Peoples' candidates.⁵ Initial reports claimed the election "passed off very quietly with no disturbances . . . in any part of the county." Republicans were said to have been well-organized, and the outcome was "very close at best." Of 5,500 votes cast, one-third were black. The critical contest was for the office of county judge. Incumbent Judge Lafayette Kirk, the Peoples' choice, and Carl Shutze, a Republican, faced each other in a competition of color and national origin.⁶

The description of the election was premature. Peoples' Party candidates took every position except that of tax assessor, and at strategically located boxes, election irregularities, voter intimidation, and murder occurred.⁷

In January, 1887, the United States Senate determined to investigate the election, and the testimony was taken from February to March, 1888. The document which initiated the inquiry was a petition from three citizens of Washington County: Stephen A. Hackworth, a native Texan; James L. Moore, an Alabamian who had resided in Texas for twenty years; and Carl Shutze, a thirty-year resident and naturalized citizen from Germany. Their petition contained three basic complaints: all three suffered loss of property when forced to leave the county; several ballot boxes had been either stolen or

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improperly supervised during the election; three Negro men had been hanged without trial for the alleged murder of a white man on election day.⁸

During the proceedings Senator Richard Coke of Texas offered testimony designed to expose the petitioners as propertyless, politically motivated trouble-makers. Coke alleged that the three had falsely described the death of a white man, that no secret organization existed in Washington County to harass them, and that no effort had been spared to apprehend the unknown parties who avenged the murder. The Senator's major contention was that the federal government had no jurisdiction to investigate a state election, particularly since no complaint was registered in regard to the congressional place filled in 1886. He did admit, however, that there had been three illegal hangings in the county. Former Governor John Ireland also testified, and his remarks coincided with those of Coke. Ireland's long resume of Southern history focused on the theme that Reconstruction laws had preordained such disturbance as was under investigation. Admitting that the details of the Washington County election of 1886 escaped his memory, the former governor explained that a fire - set by federal troops - in 1869, and Republican corruption in the years since, had forced the people of Washington County to restore responsible government through the Peoples' Party.⁹

Senator Coke's efforts did not alter the committee's decision to proceed with the investigation. The chairman of the Committee on Privileges and Elections placed full faith in the integrity of the memorialists; in his view, the several thousand dollars in property loss was verified, and threats of physical violence had indeed been made.¹⁰ A slight Republican majority empowered the committee to act, whether to simply discredit the Democrats or to implement some degree of idealism surviving the Compromise of 1877.¹¹ The Senate Committee on Privileges and Elections was dominated by five Republicans: William M. Evarts (New York), William P. Frye (Maine), George F. Hoar (Massachusetts), John C. Spooner (Wisconsin), Henry M. Teller (Colorado). Four Democrats - James B. Eustis (Louisiana), James L. Pugh (Alabama), Zebulon B. Vance (North Carolina) and Eli D. Saulsbury (Delaware) - constituted the minority.¹²

In spite of criticism by opponents who contended that the Republicans were motivated purely by a quest for political power, the committee was staffed by men with impressive credentials. Hoar, especially, had distinguished himself. Reared by parents interested in the slavery issue, he graduated from Harvard, studied law, and progressed from state to national positions. Hoar managed the impeachment of William W. Belknap in 1876 and served on the electoral commission of 1877. He won five senatorial elections in Massachusetts and sat on the Harvard University Board of Overseers. Teller and Spooner, whose names would appear often during the McKinley and Taft administrations, also had worthy educational and military records. William Maxwell Evarts attended the Boston Latin School, Yale, and Harvard. He defended Andrew Johnson during the 1868 impeachment proceedings and served as Secretary of State, 1877-1881.¹³ Although the Democrats on the committee were not without claim to sound credentials, in general, the minority party had reserved its more able men for other committees.¹⁴

Once the determination was made to select for investigation the Washington County, Texas, election irregularities from a large number in both the North and South, Texas became a focus in the Senate drive for federal election regulation. Information garnered by both political factions proves the southeast portion of Washington County to have been without adequate law enforcement in 1886. The home of Robert Turner Flewellen was designated in November as an election poll. On November 2, County Judge Kirk telegraphed D. D. Bolton who lived at nearby Courtney in Grimes County. Kirk's message read: "Things look doubtful here. Do your work." Kirk then appeared at the Flewellen poll. He found that Jimmie Hewitte, a Negro Republican candidate for county clerk, had received more votes than the white Democrat. Kirk conversed with the

election judge, then left. At dusk three masked, armed men entered Flewellen's home. One of several Negroes present fired "a full charge of no. 4 shot striking and tearing out ... the left eye and part of the forehead" of one of the disguised intruders. The murder victim was Dewees Bolton, son of D. D. Bolton. Whites and blacks then fled, leaving Bolton's body until morning when the election judge and a Negro, Alfred Jones, returned to remove the corpse. Eight blacks were arrested for the killing, and three of them were later hanged without trial.¹⁵

The *Galveston News* described Bolton's death as "Foul Murder"; the subsequent lynching of the Negroes as a "Hanging." Bolton, according to the same source, was an "inoffensive, unarmed, young white man of excellent character" who appeared at Flewellen's not to tamper with ballots but simply to inquire of his father's success as a candidate for county office.¹⁶

Seven miles from the Flewellen polling place was Lott's Store, another election box where the Republican Party was quite strong. Officials counted the ballots at Lott's and found that Republicans polled 156 of the 189 votes cast. They then completed the tally sheets for deposit at Brenham. C. P. Spann, a native Texan and Democratic election clerk, and Marshall Booker were entrusted to transport the ballots. Near Independence three armed men demanded the records. The guards reported the incident to the county judge and sheriff, but the officials could not identify or locate the lawbreakers.¹⁷

Nearby, in the Graball community, Negro voters outnumbered whites five to one. The November election here produced a 100 vote majority for the Republican ticket, but "unknown" persons destroyed the ballots. Three white, masked, and armed men arrived at the Graball poll approximately one half hour after a conversation between an election official, Paul Connell, and another white resident. Connell later remarked, "I knowed they were going to do it." The election board at Graball, consisting of three white and two Negro officials, delivered a copy of only one tally sheet to the county judge.¹⁸ Testimony surrounding the Graball incident was challenged by Senator Coke. He conjectured that the masked intruders were Schutze Republicans who realized that Kirk led at that box.¹⁹

Chappell Hill, ten miles east of Brenham, was another contested box in 1886. Two years earlier three black election officials lost their lives at this village. In 1886, J. M. Nicholson, a Populist election judge, declared the precinct closed since he could not find "enough men, black and white, competent in intelligence and ability to read and write to make up the necessary number" of election officials.²⁰

During the senate hearings Washington County officials often referred to an imminent Negro insurrection. Prior to and following the November balloting, according to Judge Kirk, white men delivered "incendiary speeches" designed to incite Negroes to violence. These addresses, however, were apparently nothing more than anti-Kirk political harangues. N. E. Dever, sheriff of Washington County, told the committee that no real evidence existed to support Kirk's claims.²¹ Reacting to this unfounded fear, however, Captain J. M. Wesson of Navasota ordered militia troops to muster for a patrol of the Graball and Flewellen districts. Sixteen men under his command arrived late on November 8, and after one day's surveillance, finding no serious threat to order, they returned to Navasota.²²

At all of the above polling places the Republican Party used a "diamond-shaped" ticket the legality of which had been a matter of dispute. The ticket's shape was defended by Republicans as an effort "to protect colored voters from imposition and fraud practiced upon their ignorance and simplicity." Those who could not read would easily recognize the party's symbol. In 1885 the Texas Supreme Court declared the ballot to be lawful, the Brenham lawyers had discussed the decision prior to the 1886 election. The election judge at Independence, however, rejected the "diamond" tickets as illegal. When several white Democrats in that community protested this action, Judge

Kirk admitted that he knew the court's decision. Pressed hard by senate committee members, Kirk remarked: "I had studied the law before, and I was governed by that, and had no special occasion to read that recent decision."²³ Hence the ballots at Independence were not counted.

More serious than ballot interference and the negligence of the county judge was the application of lynch law subsequent to the November election. On November 9, the sheriff of Washington County arrested eight Negroes for the murder of Dewees Bolton and confined them to a Houston jail. A Washington County attorney, F. D. Jodon, attempted to effect their release based on statements by R. P. Hackworth, a justice of the peace, and Alexander Erickson, county clerk of Harris County, both of whom declared the charges to be false. Before Judge I. B. McFarland of the 21st District could act, Washington County officers returned the prisoners to the Brenham jail. On the night of December 2 "unidentified" persons overpowered the Brenham jailer, escorted three of the eight prisoners to Sandy Creek, one mile from Brenham, and hanged them. The *Galveston News* reported the next day that the lynching was the "culmination of. . . incendiary speeches. . . and while all good citizens regret the hanging, they cannot but think that tardy justice was done." The *Brenham Daily Banner* described the event as a product of Republican activity:

The hanging of these negroes by a mob is an occurrence to be regretted, but it was brought on by the very men who professed to have the greatest friendship for the negro. . . the parties who hanged them are unknown. . . . The negroes were scientifically hanged with new grass ropes. . . The bodies were cut down and hauled to town. . . New drawers, undershirts, and nice shrouds were purchased and good coffins procured. . . after which they were turned over to their friends and relatives, who took them to their former homes near Flewellen for burial.²⁴

According to one source, the victims, Alfred Jones, Ephraim Jones, and Shad Felder, were carefully selected from the eight under arrest. The testimony of these three would have allegedly revealed Bolton's true intentions at the Flewellen poll on November 2.²⁵ Those who remained in jail were released on bail, a process the senate committee found unusual in capital offenses,²⁶ and no evidence was presented to indicate subsequent trial.

Considerable attention was given during the senate hearings to the possibility of an active Ku Klux Klan operating in Washington County. The original petitioners testified that "bulldozing" (using economic pressure and general intimidation to force Negroes to vote the Democratic ticket) was common. J. L. Moore believed Judge Kirk and Colonel D. C. Giddings were leaders of a well-disciplined KKK.²⁷ Attorney F. D. Jodon testified to the use of intimidation to discourage his defense of the alleged killers of Bolton. So violent were the warnings that the city marshal of Brenham and Jodon's associate, C. R. Breedlove, advised the attorney to relocate at Bastrop where Breedlove had a friend, Colonel G. W. Jones, who would assist in Jodon's establishing a practice.²⁸ Based on testimony gathered by the senate committee, it appears inaccurate to terminate KKK activity in the 1870's though it has been traditional to do so. One well-known work on Texas Reconstruction reads: "the scattered Texas chapters, if not already dead, certainly ceased to exist following the passage of the Ku Klux Act. . . on April 20, 1871." Another regional history contends that the Klan disappeared "when the Federal soldiers were withdrawn."²⁹

Federal interest in the Washington County election of 1886 extended beyond the senate investigation. The federal district attorney in Austin filed six charges against

Judge Kirk and others. One indictment stated that Kirk did "unlawfully conspire, combine, confederate and agree to commit" interference with the election process at Flewellen's, Graball, and Lott's Store.³⁰ Kirk was tried in August, 1887. Those present during the court proceedings indicate the significance of the case in federal-state relations. Rudolph Kleberg prosecuted as district attorney; former Governor John Ireland, ex-congressman John Hancock, Seth Shepard, and W. W. Searcy defended Kirk without pay. E. B. Turner, a Vermont Republican, was trial judge. Turner was the first jurist, incidentally, to declare the Civil Rights Act of 1875 unconstitutional.³¹

Readers of the *Galveston News* learned on August 14, 1887, that fifty witnesses had departed Washington County for the Austin trial. They were described as "staunch citizens of the precinct." It appeared to the *News* that no witnesses would be called since a plea by attorneys was made to dismiss the case on grounds of no federal jurisdiction. Judge Turner denied the plea, however, and the *News* reported that testimony revealed no conspiracy though there had been "a good deal of monkeying with the ballot boxes." The jury was "regarded as very intelligent and made up of both political parties and hence was expected to return a fair and just verdict."³²

After three days of testimony and deliberation, the jury found the defendants innocent. There was from the outset little doubt as to the results of the trial. In addition to the notables who served without fees, Senator Richard Coke sat with the defendant, chatting and offering advice in the courtroom and also in the Driscoll Hotel. For his services Seth Shepard received, through subscription, a gold-headed cane.³³

Members of the Senate investigating committee discovered that no full record of *U. S. v. Kirk et. al.* existed. D. H. Hart, the district clerk in Austin, stated that only 52 of 188 pages of transcript were found during a search of his office.³⁴

Federal action to insure fair elections had already been initiated in the House by Henry Cabot Lodge who, in cooperation with Evarts and other senators, hoped to obtain both justice and partisan advantage through national legislation. Lodge's advocacy in this cause earned for him lasting prominence in national affairs; it was a crusade for which he had more feeling than any other, and it served as the subject for his first major House address. In February, 1889, Evarts presented to the Senate his committee's findings on the Texas "outrage," and recommended a revision of federal election laws to protect the franchise. In April, 1890, Senator Hoar initiated one of the most controversial debates in the history of the upper chamber. Hoar's bill, based on the committee's recommendation, was described by James L. Pugh, a minority member of the committee, as "revolutionary." It provided for a system of inspection and supervision of federal elections not unlike that enacted seventy-four years later. Pugh contended the measure "wipes out regulation of congressional elections by the states. . . . It prostitutes and degrades the judiciary. . . . If the bill becomes law, its execution will insure the shedding of blood." The same argument, and indeed, the predicted results would manifest themselves over half a century later. Hoar countered by reminding the Senate of successful experiments in New York where the battle for a secret ballot was already being waged, and the Senate placed the bill on the calendar.³⁵

The House passed the measure, but a debate in the upper chamber "shook not only the Senate but also the country as few parliamentary battles have done."³⁶ Friends of the legislation labeled it a "Federal Election Bill"; its' foes dubbed it a "Force Act." In December, Hoar found sufficient support for passage if a vote could be called, but Senate Democrats launched a filibuster. A Republican schism on money policy diluted that party's strength, and on January 5, 1891, the Senate voted to

consider a currency bill rather than limit debate to allow a vote on the Federal Election Bill.³⁷

During the filibuster Senator Coke carried the burden of opposition with support from John H. Reagan. The former had declared in 1874: "We no longer fear Federal interference. . . the popular mind is free from passion or excitement, and views the great questions to be solved through no discolored medium."³⁸ Fear returned, however, by 1890, and the same senator in that year voiced what became national policy for over a half a century.

Let the people of each State alone. Let the men control who know each other, the men who are peers, the men who are raised together, the men who are neighbors; let them settle it. Just let us alone; just let the negroes take care of themselves. . . and those whom God has in His Creation. . . decreed by the structure and organization of their brain. . . rule.³⁹

Both Coke and Reagan reminded their colleagues that Kansas, New York, Illinois, and Ohio were all states which suffered what Texas had been singled out to demonstrate, a need for federal election supervision.⁴⁰ After a summary of Negro slavery Reagan defended his state by noting that "blacks are under the law everywhere. . . . They have the right to vote everywhere." Whites, he said, taxed themselves to provide for Negro education. Any such law as then under consideration "would certainly Africanize. . . the Southern States. . . and plunge them into barbarism." He contended further that "lawless men of the South get their inspiration. . . from the wicked politicians and newspapers of the Northern States who foment sectional strife for partisan purposes."⁴¹

The opinions of Coke and Reagan prevailed. Public sentiment and the official position of the Republican Party had abandoned the crusade of thirty years before. Political compromise between conservatives of North and South, and the social consequences of imperialism with its admission of racial inferiority, postponed major electoral reform for over half a century.

Governor James S. Hogg recognized, in the wake of the investigation, a need for more effective laws to "guard the ballot box," but he felt the remedy should be reserved to state officials. Hogg visited Washington County in 1892 and spoke to a gathering of 1300 at Brenham, half of whom were black. Admitting the lawlessness of the previous six years, he declared: "Did you ever hear of an influential and wealthy man being killed by a mob? Let a humble negro or a poor white man commit some crime and a gang of interprising, and wild woolly fellows will swing him to a tree without a trial." These remarks served as the basis for a strong Colored Hogg Club in Brenham.⁴²

Other prominent Texans were more reluctant to admit the facts of the 1886 "outrage." Guy M. Bryan attributed the disturbances in Washington County to northern agitators and accused that section of hypocrisy in demanding of the South the eradication of social concepts which were duplicated in the North.

Let the people of the South manage their own affairs and these questions in time will settle and adjust themselves. . . they are fast doing so when not disturbed by northern politicians, carpet-baggers and Scalawags, as instanced in the Washington County outrage cases.⁴³

No immediate results can be attributed to the Senate investigation of the Texas "outrage" of 1886. National interest in election reform waned, and Texas law followed the general southern pattern of reaction. In 1891 the state established limited registration by constitutional amendment; in 1895 inadequate regulation of primaries; in 1902 a poll tax as a prerequisite for voting. The Terrell Election Law of 1905 was the culmination of attempts to reform the election process, but, in the main, these modifications disfranchised the Negro.⁴⁴ Between 1887 and 1907 segregation intimidation replaced what had been a considerable degree of integration, as the more prosperous and socially respected classes, who had earlier courted the black, joined the lower economic strata to eliminate the colored vote. Both Conservative Democrats and agrarian reformers had mobilized the Negro vote for political advantage. Populists applied it as a threat to established state governments, but both factions, by the 1890's, discovered the support of Texas Negroes to be a liability.⁴⁵

Senator Evarts, summarizing his committee's investigation, provided an objective and candid view of a complex social problem. He conceded that such activities as were uncovered by his committee might be expected where the two races were evenly divided. Social disorders, however,

tend to weaken and set back the sincere desire of the country at large to obliterate all distinctions, as between geographical or political division. . . and equality of right in discussion and solving. . . problems which affect the welfare of the people.

He accurately forecast that disclosures such as his committee made would be received differently in the two sections of the nation, but that such revelations were necessary precursors to justice. "The truth will surely force the evils and dangers, everywhere in this country. . . upon the conscience and the responsibility of the whole people."⁴⁶

On a small scale the Texas election "outrage" of 1886 contributes to the recent interpretation of Populism as a political movement distinct from that of subsequent reform attempts.⁴⁷ Disclosures in the Senate did not bring immediate reform. The verbiage surrounding the investigation, the price paid by the Negro for his political interest, and the reluctance to admit the need for national legislation to protect the ballot indicate that Populism in that section of Texas represented the termination of reform rather than a contributor to Progressivism. The reform aspects of Texas agrarian protest were not generated by urban conditions which would later motivate the progressives to demand at least a modicum of devices to guarantee the freedom of the ballot.

NOTES

¹C. Vann Woodward, *The Strange Career of Jim Crow* (New York, 1955), 57-63; Henry Lee Moon, *Balance of Power: The Negro Vote* (New York, 1948), 79-80; Rupert Norval Richardson, *Texas: The Lone Star State* (New York, 1943), 360-361; Frank W. Johnson, *A History of Texas and Texans* (Chicago, 1914), I, 599-600.

²United States Senate, 50th Congress, 2d Session, Document 62, *Testimony on the Alleged Election Outrages in Texas* (Washington, 1889), 663-664; Charles W. Ramsdell, "Presidential Reconstruction in Texas," *Southwestern Historical Quarterly*, XII (January, 1909), 219-220; Ernest W. Winkler, *Platforms of Political Parties in Texas* (Austin, 1916), 242, 251; *Galveston Daily News*, November 27, 1886. For violence in San Augustine County, see C. Vann Woodward, *Origins of the New South, 1877-1913* (Baton Rouge, 1951), 259.

³*Congressional Record*, 50th Congress, 2d Session, XX, 1820; J. Mason Brewer, *Negro Legislators of Texas* (Dallas, 1935), 91-92, 126-128; *Members of the Legislature of the State of Texas from 1846 to 1939* (Austin, 1939), 74-75, 84, 99, 113, 122, 129; Frank H. Smyrl, "Unionism in Texas, 1865-1861," *Southwestern Historical Quarterly*, LXVIII (October, 1964), 194; Robert C. Cotner, *James Stephen Hogg: A Biography* (Austin, 1959), 312; Charles F. Schmidt, *History of Washington County* (San Antonio, 1949), 38-39, 48, 78. The communities of the region were small farm settlements with approximately twenty-five persons living in those where contests were crucial (this a statistic quoted in 1900). Ellis A. Davis and Edwin H. Grabe, editors, *The Encyclopedia of Texas* (Dallas, N.D.), I, 191.

⁴United States Senate, 50th Congress, 2d Session, Report No. 2534, 67; *Congressional Record*, 50th Congress, 2d Session, XX, 1847-1848.

⁵Senate Document 62, 9; Senate Report 2534, 16-17.

⁶*Congressional Record*, 50th Congress, 2d Session, XX, 1889-1891; *Galveston Daily News*, November 3, 1886.

⁷Senate Report 2534, 17; Joseph D. Harris, *Election Administration in the United States* (Washington, 1934), 154; *Galveston Daily News*, November 5, 1886.

⁸Senate Report 2534, 1-4; Senate Document 62, 1-4.

⁹Guy M. Bryan referred to the petitioners as "disreputable politicians. . . who wished to rule the people of that county by controlling the black vote." Ernest W. Winkler, editor, "The Bryan-Hayes Correspondence," *Southwestern Historical Quarterly*, XXIX (January, 1926), 237; *Congressional Record*, 50th Congress, 2d Session, XX, 1889-1900, 1927-1934, 1974-1981, 2011-2015; Senate Document 62, 336.

¹⁰Senate Report 2534, 5; Senate Document 62, 616-618; *Congressional Record*, 50th Congress, 2d Session, XX, 1980; *The Texas Legal Directory* (Austin, 1877), 24, 61.

¹¹Hoar announced that the committee had received many petitions requesting investigation of "alleged outrages of life in some of the Southern states."

Congressional Record, 50th Congress, 2d Session, XX, 1820; Senate Document 62, 1. In the 50th Congress, Republicans enjoyed a two vote superiority in the Senate but were a minority in the House; after 1888 the House too had a small Republican majority. *Historical Statistics of the United States Colonial Times to 1957* (Washington, 1960), 691.

¹²*Congressional Record*, 50th Congress, 1st Session, XXIX, 16.

¹³*Congressional Record*, 50th Congress, 2d Session, XX, 1819-1820; *Biographical Directory of the American Congress, 1774 - 1961* (Washington, 1961), 870, 918, 1061, 1639, 1697.

¹⁴*Biographical Directory*, 866, 1486, 1563, 1745.

¹⁵*Congressional Record*, 50th Congress, 2d Session, XX, 1821, 1839, 1893; Senate Report 2534, 30-31; Senate Document 62, 31-33, 39, 47; Walter Prescott Webb, editor, *The Handbook of Texas* (Austin, 1952), II, 611. A description of the Bolton murder is found in *Galveston Daily News*, November 4, 1886.

¹⁶*Congressional Record*, 50th Congress, 2d Session, XX, 2203; Senate Document 62, 605-606. The Brenham *Daily Banner* of November 4, 1886, named Polk Hill as Bolton's killer.

¹⁷*Congressional Record* 50th Congress, 2d Session, XX, 1820; Senate Document 62, 4-14; Senate Report 2534, 21-22.

¹⁸*Congressional Record*, 50th Congress, 2d Session, XX, 1820; Senate Document 62, 51-53, 59, 89; Senate Report 2534, 25; *Handbook of Texas*, I, 714, shows Graball (Gay Ball) with a population of 100 in 1892 before its decline with the arrival of the railroad.

¹⁹*Congressional Record*, 50th Congress, 2d Session, XX, 1891.

²⁰*Ibid.*, 1820; Senate Report 2534, 19-20; Senate Document 62, 19; *Handbook of Texas*, I, 330.

²¹Senate Document 62, 623-625; Senate Report 2534, 70-71; *Congressional Record*, 50th Congress, 2d Session XX, 1850.

²²*Ibid.*, 1850.

²³*State of Texas v Phillips*, 63 Texas 390, 1885, *American Digest*, XVIII, 237; Senate Document 62, 64, 127, 224, 247, 420; Senate Report 2534, 44-45. For a brief discussion of the tactics used by conservatives to manage election results see Fred A. Shannon, *The Centennial Years* (New York, 1969), 14-19, edited by Robert Huhn Jones.

²⁴Senate Report 2534, 48-50; Senate Document 62, 129, 142-143, 171-177, 181, 230, 237-238, 512, 682-683; *Congressional Record*, 50th Congress, 2d Session, XX, 1843-1844; *Galveston Daily News*, December 3, 1886.

²⁵Senate Report 2534, 48-50; Senate Document 62, page 40.

²⁶Senate Document 62, pages 290-291, 297.

²⁷Senate Document 62, pages 518-519. DeWitt Clinton Giddings was a leading citizen of Brenham and a Confederate veteran. As "one of the most aggressive and influential Texans during the era of reconstruction" he won a seat in Congress but was denied the place by E. J. Davis; the House rejected Davis' appointment of General William T. Clark and Giddings took his seat. Johnson, *Texas and Texans*, IV, 1781-1782; John Henry Brown, *History of Texas* (St. Louis, 1893), II, 477.

²⁸Senate Report 2534, page 57; Johnson, *Texas and Texans*, IV, 1781; George Washington Jones was Lieutenant Governor in 1866; he was removed by military order in 1867 and later served as a Greenback congressman. *Biographical Directory*, 1136.

²⁹W.C. Nunn, *Texas Under the Carpetbaggers* (Austin, 1962), 252; George Louis Crockett, *Two Centuries in East Texas* (Dallas, 1932), 349.

³⁰*Galveston Daily News*, August 25, 1887; Senate Document 62, 646-649.

³¹Kleberg was a federal district attorney 1885-1896 and then took a seat in the House of Representatives. *Handbook of Texas*, I, 969. Seth Shepard was a Confederate veteran, leader of the redemption movement, railroad attorney, and Dallas lawyer who took a place on the federal bench in 1893. *Texas Legal Directory*, 24, 61; *Handbook of Texas*, II, 601. Ezekiel B. Turner moved to Texas in 1853 to practice law in Austin. His career as United States Attorney after 1866 and state Attorney General after 1867 illustrates the fallacy of generalizations concerning Reconstruction appointees and "carpetbaggers." James D. Lynch, *The Bench and Bar of Texas* (St. Louis, 1885), 365-366. For W. W. Searcy see Schmidt, *Washington County*, 39.

³²*Galveston Daily News*, August 14, 17, 1887.

³³Senate Document 62, 644. Evidence in the Federal Records Center, Ft. Worth, Texas, Cases 1038-1040, is incomplete but does contain a copy of the "diamond ticket" and the original telegram from Kirk to Bolton.

³⁵The personal commitment of Henry Cabot Lodge, the interesting family connections of Evarts and Hoar, and the sense of historical mission of all three are discussed in Henry Cabot Lodge, *Early Memories* (New York, 1925), 8-9, 258, 277, 294; John A. Garraty, *Henry Cabot Lodge* (New York, 1953), 117-119; *Congressional Record*, 50th Congress, 2d Session, XX, 1455, XXII, 18, 48, 74-79, 115-128, 167-175, 240-244, 279-295, 325-336, 365-377, 1564-1568. Pugh declared during the discussion that "350,000 trained electioneers may cover every Democratic State and Congressional district on election day at an expense every two years of \$10,000,000." *Congressional Record*, 50th Congress, 2d Session, XX, 1455; 51st Congress, 1st Session, XXI, 3760, 8277-8278.

³⁶Franklin L. Burdette, *Filibustering in the Senate* (Princeton, 1940), 52-57; *Congressional Record*, 51st Congress, 1st Session XXI, 6079.

³⁷*Congressional Record*, 50th Congress, 2d Session XXII, 18, 48, 74-79, 115, 128, 167-175, 240-244, 279, 295, 325-336, 365-377, 1564-1568. Silverites were anxious to proceed to other business, and even Hoar saw the bill "stirring up more sectional problems than it could ever cure." Garraty, *Lodge*, 119-120.

³⁸Johnson, *Texas and Texans*, I, 576; *Biographical Directory*, p. 718; *Handbook of Texas*, II, 370.

³⁹*Congressional Record*, 50th Congress, 2d Session, XX, 2015.

⁴⁰Ben H. Procter, *Not Without Honor: The Life of John H. Reagan* (Austin, 1962), 273; *Congressional Record*, 50th Congress, 2d Session, XX, 2203.

⁴¹*Ibid.*, 2204-2205.

⁴²Cotner, *Hogg*, 225-226, 312-313; Arthur C. Ludington, *American Ballot Laws, 1888-1910* (New York, 1911), 182-183.

⁴³Guy M. Bryan served in the Texas House of Representatives in 1873, 1879, and 1887 after two years (1857-1859) in the United States Congress. *Handbook of Texas*, I, 233; Winkler, "Bryan-Hayes Correspondence," 237.

⁴⁴Spencer D. Albright, *The American Ballot* (Washington, 1942), 28; Richardson, Texas, 368-369; Frederick D. Ogden, *The Poll Tax in the South* (Birmingham, 1958), 8-12; *Constitution of the State of Texas*, annotated by W. M. Harris (Kansas City, 1913), 504-508; *Handbook of Texas*, I, 551.

⁴⁵John Samuel Ezell, *The South Since 1865* (New York, 1963), 185-186. A decline in Washington County's Republican vote between 1884 and 1890 is clearly demonstrated in W. Dean Burham, *Presidential Ballots 1836-1892* (Baltimore, 1955), 810-811. Washington County offers an opportunity for comparison with those agriculturally depressed counties where Texas Populism began. Roscoe C. Martin, *The Peoples Party in Texas*, (Austin, 1933). Disfranchisement and violence in Texas during the period is discussed in Woodward, *Origins of the New South*, 259, 343.

⁴⁶*Congressional Record*, 50th Congress, 2d Session XX, 1855-1856; Senate Report 2534, 89-90.

⁴⁷John Higham, *The Reconstruction of American History* (New York, 1962), 160-161; Richard Hofstadter, *The Age of Reform* (New York, 1951), 131.