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GEORGE W. WHITMORE: EAST TEXAS UNIONIST

by Randolph B. Campbell

In mid-October 1876, the Tyler *Democrat* carried the following obituary:

> About 2 o'clock last Sabbath morning, Col. George W. Whitmore departed this life at his residence in this city. He had been in declining health for a long time past, and his death was not a surprise to any of his acquaintances. His was a checkered and somewhat eventful life. A man of some talent, strong prejudices and great energy in his purposes, he was familiar with the ups and downs of human life. On Monday his remains were interred in Tyler cemetery with Masonic honors, the Courts adjourning for the occasion. Whitmore had his faults — let now the broad mantle of charity cover them, as all of us will one day invoke it to cover ours.

East Texans seemingly took the author of this notice at his word. They permitted the "broad mantle of charity" to cover the faults of the deceased and then found little or nothing else about the man worth remembering. Since his death, George Washington Whitmore has received at most only passing mention in historical accounts of East Texas during the era of Civil War and Reconstruction and largely has disappeared from popular memory, even among those most deeply concerned with the region's past.[1]

This obituary notice from 1876 and the historical disappearance that followed raise several questions. Who was this man, George W. Whitmore? How did he gain such respect that the courts at Tyler, perhaps including the federal district court there, would adjourn in honor of his funeral, while the local newspaper would memorialize him with far less than fulsome praise? Does he deserve greater recognition and possibly even a favorable historical reputation in East Texas today?

George W. Whitmore was born on August 26, 1824 in the mountainous area of east Tennessee near the North Carolina border. Little is known of his early life except that he attended public schools, probably in McMinn County where he was born, and then, like so many Tennesseans, migrated to Texas. Whitmore arrived in Harrison County in 1848. He was a young man in his mid-twenties, with no property except his personal belongings, but, as the cliche goes, with great prospects.[2]

Whitmore probably had some training in the law before leaving Tennessee. Almost certainly he read law with someone in Harrison County, because within two years he was ready to ask for admission to the bar of Texas. The three men appointed by District Judge Lemuel D. Evans to examine Whitmore reported favorably, and on July 1, 1850, he received a license to practice in all the courts of the state. One year later, on July 3, 1851, Whitmore married Harriet Bell, the seventeen-year-old daughter

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of William Bell, a well-to-do slaveholding farmer from Georgia. He and one of his brothers-in-law began to acquire property jointly, and within two years he was paying taxes on 250 acres of land, two slaves, and a town lot in Tyler, sixty miles to the west in Smith County.[3]

Whitmore's success in establishing himself professionally and socially in Harrison County during the early 1850s coincided with the beginning of his political career. His entry into public life came with the presidential election of 1852 when he served on the county campaign committee for Winfield Scott, the Whig candidate. Whitmore's identification with the Whig Party, which may well have begun during his youth in east Tennessee, was significant in several ways. First, it indicated that he was a unionist who favored a relatively strong and active national government. Most Southern Whigs tended to follow the lead of Henry Clay in supporting compromises to preserve the Union and nationalistic policies such as federal internal improvements. Second, Harrison County, Whitmore's home, was a center of Whig strength in antebellum Texas. The state as a whole was overwhelmingly Democratic, and Scott received only twenty-six percent of Texas' vote in losing the election of 1852 to Franklin Pierce. But Scott received forty-one percent of the vote in Harrison County, and Whig candidates for state and local offices could expect to do even better there.[4]

In August 1853, Whitmore demonstrated that Whiggery was not a fatal handicap in Harrison by winning one of the county's three seats in the Texas House of Representatives. He was twenty-nine years of age when he went to Austin to serve in the Fifth Legislature. Most of his work during the session came in his capacity as chairman of a committee on private land claims; otherwise he did not distinguish himself.[5] By 1855, when his term ended, Whitmore's party had disintegrated in the aftermath of the Kansas-Nebraska Act, and many Southern Whigs who could not accept the Democratic Party, and certainly not the Republican Party that soon attracted most of their Northern brethren, had joined the anti-foreign, anti-Catholic Know-Nothing Party. Whitmore became identified with the Know-Nothings, but he was not one of the party's nominees for the legislature that year. Robert W. Loughery, editor of the ardently Democratic, pro-southern Marshall *Texas Republican,* wondered in print why Whitmore or several other locally prominent Know-Nothings had not been nominated. They are all, he wrote, "men of fair abilities and superior to the candidates chosen."[6]

The Know-Nothings carried Harrison County in 1855, but then lost in 1857 during a campaign marked by the defeat of Sam Houston who ran for governor as a unionist Democrat, with the support of the Know-Nothings, against the states' rights Democrat Hardin R. Runnels. Whitmore played no important role in these contests, but in 1859, when Houston again opposed Runnels for the governorship, he resumed his political career, this time as a Houston Independent. Campaigning both

for Houston and for a legislative seat for himself, Whitmore drew the wrath of states' rights Democrats as never before. After one debate in Marshall, editor Loughery accused him of "low down demagogism" in his defense of Houston. When Houston carried Harrison County in the governor's race and Whitmore won a seat in the legislature, Loughery moaned that all "love of country" and "patriotism" had died in "the States Rights, Southern Rights county of Harrison."[7]

Unionists such as Whitmore had little time to relax or enjoy their victory in the state elections, however, because sectional tensions reached a fever pitch as the nation approached the election of 1860. The Republican Party had a good chance of winning control of the federal government without the aid of a single Southern vote, and Democrats across the South said that the interests of their section, especially slavery, would be safe only in the hands of their party. Disunion was more than a remote possibility in the event of a Republican victory. Under these circumstances Whitmore looked to the new Constitutional Union Party to give voice to his unionism. He participated in an organizational meeting of the party in Marshall on April 14, 1860, then attended a regional convention in Tyler on April 21. In May the Constitutional Unionists held a national convention and nominated John Bell of Tennessee for the presidency. Whitmore became an alternate elector for the party in Texas's first congressional district and campaigned throughout East Texas.[8]

Whitmore's support for the Constitutional Union Party did not mean opposition to the South or to slavery. The party was composed of Southerners, many of whom were slaveholders. Whitmore himself bought slaves during the 1850s and owned seven bondsmen at the census of 1860. He supported the party, not because he opposed the South or its institutions, but because he loved the Union and believed that the South would be better off within the Union than without. In fact he was even willing to sacrifice the new party to avert secession. During the campaign, he agreed to a unionist proposal that those supporting Bell join with supporters of the Northern Democratic candidate, Stephen A. Douglas, in an effort to build a force capable of carrying Texas.[9]

Whitmore's campaign in 1860 drew mixed reactions. The Quitman *Clipper* described him as a "clear, logical, and forceful speaker" who had "no vanity about him." Loughery, on the other hand, insisted that southern Democratic speakers supporting John C. Breckinridge were demolishing Whitmore so completely that he should quit the campaign. More important, however, than comments on Whitmore's ability were those that began to question his loyalty to the South. An anonymous letter to the *Texas Republican* reported his saying that if Lincoln won and the Southern states seceded, he would stay with the national government. In an open letter to the newspaper, Whitmore denied that allegation, although he did admit having said that he was for the constitution and the government and that Lincoln's election in itself would be no cause for secession.[10].

Lincoln did win and his victory sparked a spontaneous move in Harrison County for disunion. Those who attended a meeting in Marshall on December 1, 1860 nominated delegates to a proposed state secession convention and at the same time called on Whitmore to resign his seat in the legislature. His views, the resolution said, are better suited to a Northern than to a Southern constituency. Whitmore's reply, published in the *Texas Republican* of December 8, was angrily sarcastic. "I was not aware," he wrote, "that my opinions were of so much importance as to occupy the attention of such an august body of men, assembled for so momentous a work as that of the destruction of one of the best, freest, and happiest governments that was ever framed, by the combined wisdom of men." He refused to resign, saying that he would quit if the voters asked him to, but that otherwise he would not suffer himself to be "dictated to by any self constituted caucus, or would-be political leaders." Whitmore's stand was courageous, but Loughery continued to insist that no one who believed in "submission" to Lincoln's election could represent Harrison County, and other letters appeared saying that Whitmore had indeed promised to side with the national government in the case of secession.[11]

As events unfolded during the secession winter of 1860-1861, Whitmore's position became even more uncomfortable. Secession leaders in Austin called for a convention to assemble in that city on January 28, and then, Governor Houston, in an effort to forestall extreme action, called the legislature to meet in special session one week earlier on January 21. The legislature, however, rather than acting as Houston wished, formally approved the secession convention. The House of Representatives voted fifty-eight to thirteen in favor of the resolution validating the convention. George W. Whitmore cast one of the "nay" votes, and then, shortly after the convention passed an ordinance of secession on February 1, he joined a handful of other unionists in signing an "Address to the People of Texas" which condemned disunion as a move solely for the benefit of the slaveholding interest. A mass meeting in Harrison County denounced his actions as "incendiary" and "treacherous" and called for his resignation. Those who voted in the secession referendum on February 23 were asked to sign a petition for his removal from the legislature.[12]

Harrison County voters favored secession by a margin of 866 to forty-four and called for Whitmore's resignation by an almost equally overwhelming margin of 706 to forty-six. Whitmore ignored the vote and his earlier statement about leaving office if the voters wished it, and returned to Austin for the legislature's post-secession session. There, unlike Sam Houston who refused to take the oath of allegiance to the Confederate States of America and left office as a result, Whitmore allowed the oath to be administered to him and remained in the legislature. Loughery of the *Texas Republican* praised Houston and commented:

> How strikingly does this contrast with our own misrepresentative, George Washington Whitmore! He, in the agony of a suicidal death, clings to a dishonored life only that he may seize with the spasmodic energy of the miser's grip his per diem. Judas Iscariot, we believe, repenting the betrayal of our Savior, cast from him the thirty pieces of silver; so will not G.W. Whitmore, but we predict will invest it in a farm in Collin or Grayson.

Apparently Whitmore had allowed the oath to be read to him but had not repeated it and therefore not "taken" it. This action was less than honorable and probably illegal, but Whitmore wanted to oppose the course of events in Texas to the bitter end. When the House of Representatives voted in early April, 1861, to approve the constitution of the Confederacy without submitting it to the people of Texas and to rule that anyone refusing to take an oath of loyalty to the new government had "deposed himself" from office, Whitmore was present and voted "nay."[13]

Once the Civil War began, Whitmore remained in East Texas, spending, it seems, more and more time in Smith County where his family from Tennessee had settled during the 1850s. He remained quiet for nearly two years, but toward the end of 1862 his opposition to the Confederacy surfaced again. He published a letter in the Shreveport *South Western* criticizing the Confederate draft law, especially the exemption for those who owned or supervised twenty or more slaves, and pointing out that he had warned Texans that they were entering a slaveholders' war that would be fought by nonslaveholders. Whitmore's letter, Loughery wrote, is "the vilest of treason."[14]

By late 1863, Whitmore's outspoken unionism had become unacceptable to Confederate authorities. Colonel R.T.P. Allen and a small cavalry force arrested Whitmore in Smith County, held him for a week in an iron cage in the jail at Tyler, then placed him in the stockade for Union prisoners at Camp Ford for several months, and finally moved him to another prison called Camp Martin in Cherokee County. In all, he was imprisoned for nearly twelve months without being charged with or tried for any crime.[15]

Following his release in late 1864, Whitmore remained in Smith County until the war ended. Then, not surprisingly in light of his reputation as a unionist, he began to play a major role in Reconstruction. His first office came in August 1865 when Texas's provisional governor, A.J. Hamilton, appointed him district attorney for the Ninth Judicial District. In addition to handling the duties of his office, Whitmore obtained an indictment of Colonel Allen for false arrest and imprisonment and at the same time launched a civil suit seeking $100,000 in damages from Allen for the same offenses. Whitmore's term of office proved short, however, because at the elections held in June 1866 to end presidential Reconstruction and restore state government, conservative Democrats won control of most local offices and he did not continue as district attorney. The

criminal action against Allen was dismissed in January 1867, and the civil action for damages was continued session after session for more than two years.[16]

These setbacks in 1866 and early 1867 proved only temporary, however, as developments in Washington at the same time worked in Whitmore's favor both personally and politically. Congress passed a new bankruptcy act in March 1867 which created the position of register in bankruptcy, an official appointed by the judge of each federal judicial district to assist in all phases of implementing the law. The act specified a broad array of fees and charges that the register could collect in return for his services. In August, Whitmore, with the endorsement of A.J. Hamilton, Robert W. Taylor, and several other leading Texas unionists, received the appointment as register for the federal district court at Tyler. "Whitmore," said George H. Slaughter, a Smith County unionist, "will make a *bushel* of money out of his office." Apparently he was correct. By 1870 Whitmore was paying taxes on seven tracts of land totaling more than 1,000 acres and, more impressive yet, on $10,000 in money on hand or loaned out at interest. He was one of the twenty wealthiest men in Smith County that year.[17] Incidentally, since this is a question always asked of men such as Whitmore, there is no evidence and no charge of corruption on his part. The money simply came with the job.

Whitmore's political fortunes also flourished from 1867 to 1870 as a result of events in Washington. Congress took over Reconstruction in 1867 and required that the entire process be repeated, this time under military supervision and with changes in voter registration that disfranchised most of Texas's antebellum officeholders and enfranchised blacks. Whitmore immediately joined the fledgling Republican Party and began to campaign for black as well as white votes, both for the party in general and for himself as a member of the new constitutional convention to be chosen in February 1868. When he spoke at a celebration held by Harrison County blacks on July 4 and addressed his listeners as "My fellow citizens," Loughery of the *Texas Republican* could barely control his outrage. Whitmore, he wrote, is a fifth-rate lawyer, a "low demagogue," and a man who is "mean" in his social relations. Moreover, the editor said, he was "cruel" to his slaves! William G. Barrett of the *Harrison Flag* outdid even Loughery in personal vituperation during this campaign. Whitmore and J.W. Flanagan of Rusk County, he wrote, "are filthy bubbles on the cesspool of radicalism, and will soon burst and sink amidst the contempt of the honest."[18]

Regardless of the furor they engendered among conservatives, Whitmore's campaign efforts succeeded. He had a major voice in the appointment of new officeholders when the military made changes in Smith County during November 1867, and he won a seat in the constitutional convention. When the convention assembled in Austin on June 1, 1868, he served as temporary chairman and also as a member of the influential

Committee on Lawlessness and Violence in Texas. In August, he was chosen as *president pro tempore* of the so-called Radical Republican state convention. Once the constitutional convention finally completed its work in February 1869, Whitmore went to Washington as one member of a committee or "lobby" chosen by the convention to work for the division of Texas into two states. Throughout this period, he was identified with the Radical Republican faction led by Edmund J. Davis.[19]

There was some talk in 1868 that Whitmore should be the first governor of Texas under the new constitution. The Marshall *Texas Republican* commented in July: "Regarding the party as the meanest and vilest ever organized, the recommendation is most appropriate and timely." As it happened, Loughery's blood pressure did not have to withstand Whitmore as governor. The position went to Davis. Still, at the same election in December 1869, Whitmore won a seat in the United States House of Representatives, representing Texas's first congressional district. He, along with two other Republicans elected in 1869, earned the distinction of being the first of their party ever to serve in congress from Texas.[20]

Whitmore's swearing in on March 31, 1870 as a member of the the Forty-First Congress marked a major step in the return to Texas to its proper place in the Union. No doubt he took special delight in being able to return to a position that he had never wanted to leave. He voted for legislation to enforce the Fifteenth Amendment and to prevent interference with political participation by blacks by organizations such as the Ku Klux Klan. The bills that he introduced himself aimed primarily at benefitting East Texas. He proposed, for example, a new post office and court building at Tyler and navigation improvements on the Trinity and Sabine rivers, but nothing came of these proposals during either the session he entered in March 1870 or the short session of the Forty-First Congress which met from December 1870 to March 1871.[21]

Whitmore should have faced a re-election contest in November 1870 since the Forty-Second Congress, which would meet in December 1871, was elected at that time in most states. In Texas, however, the Republican-controlled state legislature delayed the election until October 1871. Even with the additional time to strengthen their positions, however, Republicans such as Whitmore faced an uphill battle. They could no longer appeal to the military for support, and under the state's new constitution all but a few conservative whites had regained the ballot. When the election finally took place, the Democrats' nominee, William S. Herndon, a Smith County lawyer and former Confederate Army officer, defeated Whitmore by a margin of more than 4,000 votes. Whitmore carried counties such as Harrison that had black majorities but lost heavily in those where the white and black populations were more nearly balanced. Whitmore contested the election in Congress, charging that "violence, intimidation, and fraud" had deterred 6,650 qualified voters from supporting him and that 4,350 votes had been cast illegally for Herndon. The House of

Representatives collected reams of conflicting testimony and concluded, there being no clear-cut case, that Herndon should keep the seat. Whitmore received $2,000 to pay for his expenses in contesting the election.[22]

Whitmore's political fortunes declined almost as rapidly during the early 1870s as they had risen in the late 1860s. He remained active in the Republican Party after his defeat in 1871, serving, for example, on the Platform Committee at the 1873 Republican State Convention. But the party was plagued by factionalism among moderates and radicals and unable to build a constituency among Texas's white majority. The entire state government was returned to Democratic control in 1874, and Republicans would not win the governorship again for more than a century. Indeed, Whitmore's career had foreshadowed that of his party in that he had suffered from factional disputes with other Smith County Republicans in 1871 and lost his seat in Congress to the white majority in the first district.[23]

Whitmore's personal fortunes also began to decline, although not so rapidly as his political career, during the early 1870s. His suit for $100,000 in damages against R.T.P. Allen and the others who had arrested and imprisoned him during the war finally came to trial during the summer of 1869. After nine days of legal wrangling, primarily over jury selection, the decision went against Whitmore. The jury ruled that he would "take nothing by his said action" but would pay all court costs. Whitmore appealed to the Texas Supreme Court where Justice Moses B. Walker, a military appointee, reversed the verdict for being "against all the legal evidence in the case" and remanded it to the district court for further action. Walker's ruling came in 1870, but there is no record of further action in the case. It was unlike Whitmore to drop any litigation until all avenues had been exhausted, but perhaps in this case, he was too busy with his political career to pursue the matter further.[24]

Whitmore had to give up his position as register in bankruptcy when he went to Congress, and after his defeat in 1871 he had no income from public office. He was, however, a relatively wealthy man and remained so for the rest of his life in spite of several financial losses that resulted from his willingness to support fellow Republican officeholders. Whitmore and two other men, for example, signed as sureties for the $8,000 bond of a Republican named George D. Kelly who became sheriff of Anderson County in 1870. Kelly later defaulted on turning over money collected for school taxes, and the State of Texas sued Whitmore and the other two sureties. After a complicated legal battle that went to the state supreme court, the sureties lost and were ordered to pay $2,675.45. The state legislature relieved Whitmore of this obligation in 1875, but the litigation had been expensive and at least part of the judgment had been paid. In a similar case decided in 1874, the United States won a judgment of approximately $2,000 against Whitmore and several others who had signed the bond of one John Flynne who had obtained federal office in East

Texas. Regardless of these difficulties, however, in 1876 Whitmore paid taxes on eleven pieces of real estate, a good deal of personal property, and $1,000 in money on hand or loaned at interest.[25]

Little is known of Whitmore's family life during these hectic years of public involvement. He and his wife, Harriet, had no children, but by 1870 they were caring for four under the age of ten. One, an eight-year-old girl named Carrie, bore the name Whitmore, and another, a seven-year-old boy named George W. McCall, was the son of one of Whitmore's sisters. There were also children named Harris who may have been the offspring of a Confederate soldier killed during the war. Richard B. Hubbard, a Smith County lawyer who became governor in 1876, told the legislature in 1875 that Whitmore had adopted several such children, but if this was the case their names had not been changed.[26]

Harriet Whitmore, after suffering poor health for years, died in October 1875 at the age of forty. George W. Whitmore's health failed at the same time, and he died on October 14, 1876, less than two months past his fifty-second birthday. His will made bequests of $500 each to his sister, brother, and a niece and left the remainder of the estate to three heirs — Carrie Whitmore, George W. McCall, and one of the Harris children. Whitmore left a great deal of property, including more than 2,000 acres of land and town lots in Tyler, Longview in Gregg County, Carthage in Panola County, and Elysian Fields in Harrison County. However, his estate was complicated by numerous claims, including some rising from the cases in which he had signed bonds for Republican officeholders, and by the fact that the heirs were minors. Consequently, it was in administration from 1876 until 1884 before a final settlement could be made. As expenses for such things as legal fees and tuition for the children mounted, properties had to be sold, often at ridiculous prices. The lot in Elysian Fields, for example, sold at auction in 1879 for one dollar. The final settlement of Whitmore's estate in April 1884 stated: "There is nothing coming to the heirs ..., on account of the fact that the estate is insolvent ...."[27]

George W. Whitmore died and virtually disappeared from East Texas history. He left no male heir to inherit his estate and carry on his name. His political party played no meaningful role in Texas politics for the next century, and the black voters who had supported him were effectively disfranchised for generations. Even Whitmore's grave, which according to his obituary is in the "Tyler cemetery," cannot be located. Should he have come to this historical end? I think not.

George W. Whitmore represents what has been called "the other South" in the nineteenth century, the Southern minority that opposed secession and joined Republicans in restoring the Union after the Civil War.[28] He did not necessarily oppose slavery or advocate black equality, but he thought the Union more important than slavery and was willing to give blacks equality before the law once they were no longer slaves. In the process, Whitmore demonstrated a tremendous amount of courage,

moral as well as physical courage, and he was extremely consistent in his political views. In the light of the shortage of those qualities — courage and consistency — in political life at any time, he should receive some credit regardless of how his position is perceived.

Whitmore was often sarcastic, angry, and litigious. He was not a very pleasant or lovable person; dissenters rarely are. They make the majority too uncomfortable, perhaps because of the fear that there might be something to what they are saying. Was there anything to what Whitmore was saying?

Whitmore opposed secession in 1861 and was ignored. What happened as a result of secession? The South suffered through a four-year war that brought only death and destruction, including an immediate end to slavery. It is difficult to imagine a much worse result from the Southern point of view had secession not occured. After the war, Whitmore advocated cooperation with the national government and acceptance of blacks as citizens of the South with at least basic rights before the law. Granted that this was self-serving to him politically and that it was at best a bitter potion for a defeated people to swallow, could the results have been much worse for the South had this approach been accepted? We cannot say for certain, since we cannot know what might have been, but we can see what followed the rejection of his approach. The South suffered from intensified and prolonged racism for another hundred years and fell behind the rest of the nation in every respect.

George W. Whitmore was not a spotless hero, and his story is not told here in an effort to condemn the South or its history. Instead, this account of his career is presented with the idea that Southerners need to look at *all* facets of the past with as much objectivity as possible and see that perhaps a better present and future depends on recovering the memory of "other Southerners" like George W. Whitmore as well as on remembering traditional leaders.

NOTES

[1]Tyler *Democrat*, quoted in Andy Leath and Arthur Reagan, "1876: Month by Month," *Chronicles of Smith County, Texas XV* (Summer 1976), p. 50. Whitmore receives some attention in Carl H. Moneyhon, *Republicanism in Reconstruction Texas* (Austin, 1980); and Randolph B. Campbell, *A Southern Community in Crisis: Harrison County, Texas, 1850-1880* (Austin, 1983).

[2]Walter Prescott Webb, H. Bailey Carroll, and Eldon Branda, (eds.), *The Handbook of Texas*, II (Austin, 1952, 1976), p.901. Whitmore appears on the tax rolls of Harrison County for the first time in 1849, indicating that he had arrived during the past year. He paid only the poll tax required of males his age. Harrison County Tax Rolls, 1848 and 1849, Records of the Comptroller of Public Accounts, Ad Valorem Tax Division, County Real and Personal Property Tax Rolls, Archives Division, Texas State Library, Austin. Hereinafter these rolls will be cited by county with the appropriate year.

[3]Harrison County District Court Civil Minutes, Book C, 385, 400, District Clerk's Office, Harrison County Courthouse, Marshall; Seventh Census of the United States, 1850, Schedule 1 (Free Inhabitants), Schedule 2 (Slave Inhabitants); Harrison County Marriage

Records, Book 2, 103, County Clerk's Office, Harrison County Courthouse; Harrison County Tax Rolls, 1852 and 1853.

[4]Marshall *Star State Patriot,* October 30, 1852; Randolph B. Campbell, "The Whig Party of Texas in the Elections of 1848 and 1852," *Southwestern Historical Quarterly,* LXXIII (July 1969), pp. 25-27.

[5]Marshall *Texas Republican,* August 6, 13, 1853; *Members of the Texas Legislature, 1846-1980* (Austin, 1980), p. 18; *Journal of the House of Representatives, Fifth Texas Legislature* (Austin, 1854), pp. 105, 127.

[6]Marshall *Texas Republican,* August 4, 1855; Campbell, *Southern Community in Crisis,* pp. 167-168.

[7]Marshall *Texas Republican,* July 30 (first quotation), August 6 (second quotation), 20, 1859; Campbell, *Southern Community in Crisis,* pp. 168-171.

[8]Marshall *Texas Republican,* April 21, 1860, Marshall *Harrison Flag,* May 18, September 1, 1860; Clarksville *Northern Standard,* September 29, 1860.

[9]Eighth Census of the United States, 1860, Schedule 2 (Slave Inhabitants); Marshall *Texas Republican,* September 29, 1860.

[10]Marshall *Harrison Flag,* May 18, 1860 (quoting the Quitman *Clipper*); Marshall *Texas Republican,* October 6, November 3, 24, 1860.

[11]Marshall *Texas Republican,* December 1, 8, 1860.

[12]Walter L. Buenger, *Secession and the Union in Texas* (Austin, 1984), pp. 141-158, 163-166; *Journal of the House of Representatives of the State of Texas. Extra Session of the 8th Legislature* (Austin, 1861), January 26, 1861, p. 61; Marshall *Texas Republican,* February 9, 23 (quotations), 1861.

[13]Marshall *Texas Republican,* March 2, 9, 16, April 13 (quotation), May 18, 1861; *Journal of the House of Representatives ... Extra Session,* March 18, 1861, pp. 125-126; Clarksville *Northern Standard,* April 6, 27, 1861.

[14]Marshall *Texas Republican,* December 20, 1862. Whitmore's father's will was probated in Smith County in 1861. See Estate of John Whitmore, Smith County Probate Papers, County Clerk's Office, Smith County Courthouse, Tyler.

[15]George W. Whitmore to General Charles Griffin, May 31, 1867, in Records of the Office of Civil Affairs for the Department of Texas and the Fifth Military District, 1865-1870, United States Department of War, RG 393, National Archives, Washington, D.C.; *G.W. Whitmore v. R.T.P. Allen,* 33 *Texas* 355.

[16]Marshall *Texas Republican,* August 25, 1865; *The State v. R.T.P. Allen and Others,* Case #870, Smith County District Court Criminal Case Papers; *George W. Whitmore v. R.T.P. Allen, et al.,* Smith County District Court Minutes, Book E, 45, 189, 238, 337. The criminal case papers and the minutes book for the district court are both in the District Clerk's Office, Smith County Courthouse, Tyler.

[17]*Congressional Globe,* 39th Congress, 2nd Session, part 3, pp. 229, 236; Recommendation of G.W. Whitmore, March 12, 1867, in Applications and Endorsements, 1867-1909, U.S. Supreme Court, RG 267, National Archives, Washington, D.C.; George H. Slaughter to Silas D. Wood, (no date), Silas D. Wood Papers, Smith County Historical Society Archives, Tyler; Smith County Tax Rolls, 1870.

[18]Marshall *Texas Republican,* July 13, 1867 (quotation), February 1, 1868; Marshall *Harrison Flag,* January 18, February 1, 1868 (quotation).

[19]George W. Whitmore to Elisha M. Pease, December 5, 1867, March 18, 1868, both in Governor's Letters, Executive Department Records, Archives Division, Texas State Library, Austin; *Journal of the Reconstruction Convention, Which Met at Austin, Texas, June 1, 1868* (Austin, 1870), pp. 3, 34, 193-203, 500-505; Erest William Winkler (ed.), *Platforms of Political Parties in Texas* (Austin, 1916), pp. 115-116; Ernest Wallace, *The Howling of the Coyotes: Reconstruction Efforts to Divide Texas* (College Station, 1979), pp. 63, 91-94, 113.

[20]Marshall *Texas Republican*, July 10, 1868; Moneyhon, *Republicanism in Reconstruction Texas*, p. 122.

[21]*Congressional Globe*, 41st Congress, 2nd Session, part 3, pp. 2328, 2430-2431, 2585, part 4, p. 3343, part 5; p. 3884; 41st Congress, 3rd Session, part 1, pp. 199, 333, part 2, p. 1285.

[22]Campbell, *Southern Community in Crisis*, p. 305; "G.W. Whitmore vs. W.S. Herndon," House of Representatives Miscellaneous Document No. 182, 42nd Congress, 2nd Session; *Congressional Globe*, 42nd Congress, 2nd Session, p. 3816.

[23]Winkler, (ed.), *Platforms of Political Parties*, p. 155; Moneyhon, *Republicanism in Reconstruction Texas*, pp. 168-196. Whitmore's factional problems are shown in the Minutes Book of the Loyal League Council of Smith County, which indicates his differences with other Republican leaders in the area in 1971. This book is in the "Reconstruction Era" folder in the Smith County Historical Society Archives, Tyler.

[24]Smith County District Court Minutes, Book E, pp. 364,369-377, 421; *G.W. Whitmore v. R.T.P. Allen*, 33 *Texas* 355; Marshall *Harrison Flag*, June 17, 1869; Dallas *Herald*, July 3, 1869.

[25]*State of Texas v. G.D. Kelly et al.*, 43 *Texas* p. 667; H.P.N. Gammel (comp.), *The Laws of Texas, 1822-1897* (Austin, 1898-1902), VIII, pp. 699-700; Estate of George W. Whitmore, Smith County Probate Papers, County Clerk's Office, Smith County Courthouse, Tyler; Smith County Tax Rolls, 1876.

[26]Ninth Census of the United States, 1870, Schedule 1 (Inhabitants); Leath and Reagan, "1876: Month by Month," pp. 51-52.

[27]Estate of Harriet A. Whitmore, Smith County Probate Papers; Estate of George W. Whitmore, Ibid.; Smith County Probate Minutes, Book E, pp. 368-370; Harrison County Deed Records, Book 11, p. 153.

[28]Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York, 1974).