

# *The Freedmen's Bureau in Texas*

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WHEN General Robert E. Lee surrendered his armies at Appomattox Courthouse in April of 1865, there were approximately 400,000 (including nearly 200,000 refugees from other southern states) negroes in Texas. These freedmen did not know what to do with their new-found freedom. The United States government, anticipating the confusion which would inevitably follow the break-up, had established on March 3, 1865, a Bureau of Refugees, Freedmen, and Abandoned Lands, more commonly known as the Freedmen's Bureau. To this bureau was committed the supervision and management of all abandoned lands and the control of all matters pertaining to refugees and freedmen from the so-called rebel states.<sup>1</sup> This act defined abandoned lands as all abandoned property, real or personal, from which the lawful owner had been or was voluntarily absent and engaged in aid of the rebellion. The President of the United States, through a General Court Order of the War Department, on May 12, 1865, organized the bureau and appointed as its chief commissioner, Major General Oliver O. Howard.<sup>2</sup> General William T. Sherman, under whom Howard had served, said of this appointment that he could not "imagine that matters that may

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<sup>1</sup>Circular Order No. 2, July 24, 1865, in *House Executive Documents*, 39th Congress, 1st Session (Series No. 1256), Document No. 70, pp. 47-48.

<sup>2</sup>General Howard was a graduate of Bowdoin College and of the United States Military Academy. He was an earnest, able, and courageous soldier. He served honorably and with distinction at Gettysburg and later led one of Sherman's columns in his march to the sea. Much of his life prior to the war was spent in the South, where at one time or another he commanded troops in most of the seceded states. He knew much of the relations between the races, and he believed implicitly in the capacity of the negro for improvement. He was gentlemanly, upright, and religious, but unfortunately he had little administrative ability. See Paul S. Peirce, *The Freedmen's Bureau: A Chapter in the History of Reconstruction* (Iowa City, 1904), 46-48.

involve the future of four million souls could have been put in more charitable or more benevolent hands."

Howard assumed his office as commissioner of the Freedmen's Bureau on May 15, 1865. The territory under the jurisdiction of the bureau was divided into ten districts with an assistant commissioner in charge of each.<sup>3</sup> These ten districts (increased to twelve in 1866) were in turn divided into sub-districts and divisions for administrative purposes. Some of these assistant commissioners served in as many as three states. General E. M. Gregory was appointed as assistant commissioner for Texas, and he reached his station at Galveston on September 21, 1865. On this day the bureau began to function in Texas.<sup>4</sup>

Ominous stories of freedmen's being deprived of their liberty guaranteed under the proclamation of emancipation as well as rumors of personal violence inflicted on freedmen were circulating everywhere as General Gregory set up his headquarters at the Customs House in Galveston and prepared to launch his program. In his first proclamation dated October 12, 1865, he ordered all officers under his jurisdiction to give publicity to the Emancipation Proclamation and to see that it was read and distributed wherever freedmen were employed, copies to be furnished to all employers as well as to all state officers. These officers were further charged with the responsibility of adjudicating all matters between freedmen or between freedmen and whites where civil officials failed to give impartial justice. Gregory also enjoined them to point out to the freedmen that their freedom was accompanied by certain obligations—the obligation to work, the obligation to enter into written contracts with employers—and to see that the freedmen's contracts were registered with the proper bureau official. The bureau officials were urged to disabuse the freedmen's minds of the false impression that the lands of their former masters would be divided among

<sup>3</sup>At its greatest extent the bureau's territory included the District of Columbia, Indian Territory, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Missouri, Arkansas, Kentucky, and Tennessee.

<sup>4</sup>Howard to E. M. Stanton, December, 1865, in *House Executive Documents*, 39th Congress, 1st Session (Serial No. 1255), Document No. 11, p. 29. General Gregory served with credit in the Army of the Potomac and was recommended by General G. G. Meade for a berth in the newly organized bureau.

them at Christmas. All citizens were called upon to assist in correcting this erroneous idea.<sup>5</sup>

In order to inform himself of the conditions in his district Gregory left Galveston on November 10 for a twenty-one day whirlwind trip of about seven hundred miles. On this trip he met and addressed approximately 25,000 freedmen and planters. He explained the provisions of the Emancipation Proclamation and urged the freedmen to stay at home, to work, and to do what he found few had done: make written, not verbal, contracts. He said that he found the freedmen kind, courteous, and "well-disposed towards all." He was strongly impressed with their religious sentiments and their "great capacity" for learning and improvement. He insisted that the morals of the freedmen were equal if not superior to the whites.<sup>6</sup> This is a fine example of Gregory's pathetic ignorance of his wards, and subsequent events proved, even to him, that his conceptions were completely without foundation.

With optimism and courage Gregory, on his return to headquarters, set about organizing the bureau in Texas on the basis of General Howard's instructions. These were, briefly, to introduce and promote productive industry through a practicable system of compensated labor; to correct the erroneous belief, common among former slaves, that they could live without labor; to provide for the aged, the destitute, and the sick; to establish and maintain schools for freedmen until a system of free schools could be maintained by local government; to protect loyal refugees and to assist them in returning to their homes; and to adjudicate differences between negroes or between negroes and whites when the civil authorities failed to function.<sup>7</sup> The orders from General Howard did not include directions concerning abandoned lands because there were none in Texas. Further, in accordance with instructions, Gregory set up the machinery of the bureau by appointing an assistant adjutant general, a sur-

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<sup>5</sup>E. M. Gregory, Circular Order No. 1, October 12, 1865 (MS., in Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, National Archives, Washington, D. C.).

<sup>6</sup>Gregory to Howard, December 9, 1865, in *House Executive Documents*, 39th Congress, 1st Session (Series No. 1256), Document No. 70, pp. 374-377.

<sup>7</sup>Circular Order No. 2, July 24, 1865, in *ibid.*, 48-49.

geon-in-chief, assistant quartermaster and disbursing officer, a superintendent of schools, and eighteen sub-assistant commissioners.<sup>8</sup> The sub-assistant commissioners were to be stationed at or in the vicinity of Houston, Marshall, Victoria, Austin, Brenham, Columbia, Hempstead, Anderson, Courtney, Woodville, Millican, Leona, Indianola, Wilson County, and Wharton.

While General Gregory gave his attention to matters of organization, Surgeon-in-Chief S. J. W. Mintzer visited the counties of Liberty, Polk, Tyler, Angelina, Nacogdoches, San Augustine, Sabine, Jasper, Hardin, and part of Harris. He reported to Gregory that not a dozen freedmen had made written contracts and that those who had made verbal contracts had not been paid since the "break-up." Rumors were abroad that there was an organization among planters to murder all freedmen who had left their former masters.<sup>9</sup> He gave no credence to these reports, but he did find that most employers were instructing the freedmen that they would not be free until Christmas.<sup>10</sup> Many of the negroes were migrating to Louisiana. Mintzer reported three hundred per day for the past sixty days. "Too much beef, not enough bacon in Texas," the emigrants explained. He found that the white and black codes were still in operation, and he advised General Gregory to visit the areas and explain all orders.<sup>11</sup> In the mean-

<sup>8</sup>*Harrison Flag* (Marshall), December 28, 1865. E. M. Gregory, Circular Order No. 2 (MS., Records of the Bureau of Refugees . . . , National Archives). See also Circular No. 4. The officers were as follows: Captain Byron Porter, assistant adjutant general; S. J. W. Mintzer, surgeon-in-chief; Captain Samuel I. Wright, assistant quartermaster; First Lieutenant E. M. Wheelock, United States Colored Troops, superintendent of schools.

<sup>9</sup>It was reported that one planter said that there were enough grapevines available to hang every negro who left his former master and that it would be done. Another one said that "a right smart chance of runaway niggers had been found hanging in trees in his vicinity." Few persons believed these rumors.

<sup>10</sup>*Weekly State Gazette* (Austin), November 25, 1865. How this belief was so firmly planted in the mind of the freedmen is not known. The federal officials blamed the citizens, while the southerners placed the responsibility on the northern radicals. The freedmen as slaves had been told by citizens and public speakers that if the "yankees" won, the negroes would be freed, property confiscated and given to them, and the whites would be enslaved. The southerner, however, claimed that northern radicals started the whole thing when they talked of "forty acres and a mule." It was further claimed that United States soldiers, in order to get money from the negroes, promised them a division of land at Christmas.—C. B. Stuart to Governor Hamilton (MS., in Executive Correspondence, Adjutant General's Office, Austin).

<sup>11</sup>Mintzer to Gregory, December 1, 1865 (MS., in Records of the Bureau of Refugees . . . , National Archives).

time, petitions flowed into Governor A. J. Hamilton in Austin asking him to forestall a threatened uprising of the freedmen at Christmas, and as a safeguard against this he authorized the organization of the county police. To assist further, the governor issued an address to the negroes which he directed all county judges to read to them. His address was kind but firm and contained most wholesome advice. To the excited and excitable freedmen he said:

You are free—free to work for yourselves and to do right. No man is free to do wrong and to live upon the labor of others. Your duty as well as your interest will, I hope, lead you to do right.<sup>12</sup>

The machinery having been set into operation, Gregory, again in accordance with advice of his surgeon-in-chief, turned to an inspection of his district. On December 10, 1865, he began a tour of the Lower Brazos, Oyster Creek, Old Caney, and the Colorado Valley, the cotton and sugar districts formerly crowded with slaves, now swarming with freedmen. At the same time Inspector General William E. Strong was ordered by General Howard to inspect Texas. He spent a month in East Texas, on the Trinity, and between the Trinity and the Neches rivers, as well as extreme western part of Texas and points between Galveston and the mouth of the Rio Grande. If one may rely on the reports, the conditions were markedly different in the areas visited.

Gregory reported that nine-tenths of the former slaves were under contract, working steadily and soberly, and that the number refusing to make contracts was dwindling daily. Out of 400,000 freedmen in Texas at the time, he said that only sixty-seven were receiving help. The farmers were paying from \$8.00 to \$15.00 per month to former slaves and in addition furnished quarters, food, fuel, clothing, and medical attention. In many instances, instead of wages a portion of the crop was pledged, the amount ranging from one-third to one-half depending on what the former slave furnished in seed, feed, and equipment. He reported that theft, idleness, and vagrancy had almost become a thing of the past, and that instances of shooting, cruel abuse,

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<sup>12</sup>*Harrison Flag*, December 7, 1865, quoting Hamilton's address of November 17, 1865.

and violent assaults were on the decline except in remote areas. "A great moral improvement has been noted," he said, but he omitted to say on what basis this comparison was made.<sup>13</sup>

Inspector General Strong went along with Gregory as far as Huntsville where he turned, crossed the Trinity at Ryan's Ferry into deep East Texas. He held many meetings with freedmen and with as many planters as could be induced to attend. He explained to both groups their rights and responsibilities and what was expected of them. Former slaves were informed that they were free to move from place to place but were advised to stay at home, to make contracts, and to work diligently if treated fairly.

Strong, however, found conditions bad in East Texas. He said that men east of the Trinity did not know they had been freed; they still thought that they would be freed at Christmas and that there would be a division of property then. At Mount Jordan and Jasper on the Neches and San Augustine and in all the sections between the Neches and Sabine as far north as Henderson, freedmen were still held in abject slavery, and according to Strong they were in a worse condition than when they were slaves. He said that "they are frequently beaten unmercifully, and shot down like wild beasts, without any provocation, followed with hounds, and maltreated in every possible way."<sup>14</sup> These conditions were especially notable in the interior away from troops and federal bayonets. To remedy this, Strong recommended that a campaign be launched, similar to that of General W. T. Sherman in Georgia to "improve the temper and generosity of the people" and that Gregory station fifty good officers

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<sup>13</sup>E. M. Gregory to O. O. Howard, Houston, January 31, 1866 (MS., in Bureau of Refugees . . . , National Archives).

<sup>14</sup>Strong to Howard, January 1, 1866, in *House Executive Documents*, 39th Congress, 1st Session (Series No. 1256), Document No. 70, pp. 308-310. The reasons reputedly assigned for beating and killing negroes are most amusing. Some of these gleaned from hundreds of pages of reports to Washington are as follows: freedman did not remove his hat when he passed him; negro would not allow himself to be whipped; freedman would not allow his wife to be whipped by a white man; he was carrying a letter to a Freedmen's Bureau official; kill negroes to see them kick; wanted "to thin out niggers a little"; didn't hand over his money quick enough; wouldn't give up his whiskey flask.

in the interior about 350 miles above the coast with a small armed force.<sup>15</sup>

The report of John W. Alvord, inspector of schools and finances for the bureau, completed the picture at the close of the year 1865. Alvord did not visit Texas but reported on January 1, 1866, that there were ten day and six night schools in Texas. There were ten teachers and 1,041 students. He said that arrangements had been made for thirty teachers; that the schools were self-sustaining; and that other schools would be established as soon as textbooks could be obtained.<sup>16</sup>

Lieutenant E. M. Wheelock, of the United States Colored Troops, as the bureau's educational director for Texas, set about the task of establishing schools for freedmen.<sup>17</sup> This was a most difficult task in view of the traditions such procedure violated and in view of the skeptical and antagonistic attitude of the press. In the face of this opposition and with the encouragement of General Gregory, who was pathetically ignorant of the true situation, Wheelock proceeded to the discharge of his responsibilities.

In September of 1865 a colored school, unknown in Texas prior to the break-up, was established at Galveston. The outward success of this school was almost instantaneous and was quickly followed by others so that on January 31, 1866, Wheelock reported that there were twelve day schools and fourteen night schools in operation in Texas under supervision of fourteen teachers with 1,691 pupils enrolled. The schools were self-sustaining through voluntary contributions and a small tuition charge of \$1.50 per pupil. Wheelock reported that the teachers were "effective and competent, the scholars orderly, studious,

<sup>15</sup>Strong to Howard, January 1, 1866 (MS., in Bureau of Refugees . . . , National Archives). Howard reported as others had that thousands of slaves from other states formed a steady stream through the interior, heading towards Louisiana. They followed the Old San Antonio Road from Bastrop on the Colorado River through Caldwell, Madison, Crockett, and then northeast to the Sabine River.

<sup>16</sup>J. W. Alvord to Howard, January 1, 1866 (MS., in Bureau of Refugees . . . , National Archives).

<sup>17</sup>The bureau assumed full responsibility for general supervision and superintendence of schools, the examination and appointment of teachers, for payment of their transportation, rents, and fuel. Repairs of school buildings and the armed protection of the school and the teacher were likewise responsibilities of the bureau.

and attentive,"<sup>18</sup> and that there had not been an instance of violence against a teacher or a school. By June of 1866 the number of schools had increased to one hundred with sixty-five teachers and an enrollment of 4,447 freedmen. Included in the one hundred schools were twenty-nine Sunday schools and twenty-four night schools conducted by the same teachers as were employed in the day schools.<sup>19</sup> These were designed for religious instruction and to reach a large number of laborers who could not attend the week-day schools. The average income of the teachers was reported to have been approximately \$30 per month after expenses were paid. The summer of 1866 witnessed the closing of many of the schools because of lack of teachers or because of the panic caused by the cholera which raged in some of the larger towns from Galveston to Brownsville and even in San Antonio which was the far west at that time.<sup>20</sup> In spite of the invasion of cholera, forty-three day, night, and Sunday schools continued to operate with twenty-five teachers and 2,752 in attendance. The number enrolled decreased to 1,679 in September, but in October most of the schools reopened when most of the cotton had been picked, the sickness abated, and teachers on vacation returned.

Plans were made to expand the system to include other areas of Texas, but such plans had to be limited by the tone of the public as well as the absence of the military in certain areas. Schools followed the flag, and no effort was made to establish schools in communities where the protection of the military was not available. Programs for extension were laid before the Northern Aid Societies in the hope that assistance might be forthcoming,<sup>21</sup> but those associations were too much absorbed in work

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<sup>18</sup>Gregory to Howard, January 31, 1866, in *Senate Executive Documents*, 39th Congress, 1st Session (Series No. 1238), Document No. 27, p. 79, and in *House Executive Documents*, 39th Congress, 1st Session (Series No. 1256), Document No. 70, p. 306; Wheelock to Kiddoo, October 31, 1866, in *Senate Executive Documents*, 39th Congress, 2d Session (Series No. 1276), Document No. 6, pp. 148-150.

<sup>19</sup>*Ibid.*

<sup>20</sup>Wheelock to Alvord, October 31, 1866 (MS., in Bureau of Refugees . . . , National Archives).

<sup>21</sup>*Flake's Bulletin* (Galveston), April 26, 1866, quoting *New York Post*. Such benevolent societies as the New England Branch of the Freedmen's and Union Commission, New York National Freedmen's Relief Association, Baltimore Association for the Moral and Educational Improvement of Colored People, Maryland

in fields nearer home to give attention to far-away Texas. They extended their good wishes and a limited number of Sunday school hymn books and tracts on religion which the freedmen could neither read nor understand. The American Bible Society donated Bibles and New Testaments in quantities sufficient to permit placing a copy in the hands of negroes who learned to read which probably was a limited number.

Wheelock soon found that obstacles such as the payment of tuition and the buying of books severely limited the number of freedmen who could take advantage of the schools. He urged, therefore, that the bureau supplement the teacher's salary and furnish enough funds to pay the tuition of the poverty-stricken. The bureau officials, however, were not to take kindly to this suggestion until in the late sixties. Progress, therefore, was slow in the face of insufficient funds and in the face of other obstacles equally discouraging. The superintendent wrote late in 1866 that "those who attempt to impart the elements of knowledge and religion to the recently liberated slave are made to drink unsparingly of the cup of social reproach, and most blameless conduct insures no immunity from scurrilous and scandalous attack." The greatest hindrance to growth, however, was the lack of school buildings. Most schools were held in churches of the colored, which were few in number and lacked all equipment. At the year's end (1866) there was not a two-room school under control of the bureau. Furthermore, because of local opposition officials in many promising localities found it impossible to rent or acquire even a cabin for school purposes.

According to Wheelock, the schools in Texas had indeed done well during 1865 and 1866. Whether that was actually Wheelock's opinion or whether he intended to leave that impression to protect his job in Washington, he gave a glowing picture of the success of the educational program. "All our labors are facilitated by the great desire of the negroes to learn," he said. Misdemeanors were uncommon, and there was no flagging of interest nor abatement of progress. The superintendent seemed encour-

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Union Commission, the Freedmen's and Union Commission in Ohio, Michigan, Indiana, and Pennsylvania, and Freedmen's Commission of West Virginia were invited to help. None operated in Texas.

aged that after a whole year the freedman gave no sign of having reached the limit of his intellectual capacity to learn. At least 10,000 colored persons, old and young, had learned to read and spell, and many more bought books, spellers, and primers to learn through self-help. Wheelock further described the effect of the establishment of schools as follows:

These schools are felt among the freedmen as a moral power. With increased intelligence, self-respect is quickened, conscience awakened, and the restraints of decorum and morality observed. Already the knavish and immoral element among the freedmen are feeling the novel and augmenting force of a public opinion, which serves to shame and to check the vice which it cannot yet abolish.<sup>22</sup>

The records seem to indicate that Gregory attacked his job with vigor and sincerity, but it was too much to hope that a people so steeped in tradition could accept so radical a departure as his bureau represented. Evidence of dire trouble for Gregory appeared in the newspapers in January of 1866 in the form of an article written and signed by David G. Burnet, former President of the Republic of Texas. In this article Burnet attacked the bureau and accused Gregory and his assistants of "intolerable acts of oppression," and of inspiring the freedmen to hate their former masters.<sup>23</sup> In regard to this hatred Burnet said that "General Gregory's speeches to assembled negroes have been so injudicious as to excite the dark rabble to the most vociferous plaudits of the orator and to threatening denunciations of the white men. The lash and the chain have been the favorite theme of his rhetoric." Gregory demanded proof of Burnet's accusations, and in March the press of Texas carried Burnet's answer accompanied by numerous sworn affidavits. On the basis of the affidavits Burnet recommended Gregory's removal.<sup>24</sup>

Almost immediately, on April 2, 1866, General Gregory was removed as commissioner for Texas and was placed on duty as

<sup>22</sup>Wheelock to Alvord, October 31, 1866 (MS., in Bureau of Refugees . . . , National Archives). The number of schools by months from September, 1865, to October, 1866, was as follows: 1, 5, 8, 12, 26, 45, 90, 90, 99, 100, 72, 45, 38, 45. Enrollment by months was as follows: 80, 264, 326, 615, 1,691, 2,445, 4,590, 4,710, 4,796, 4,447, 4,365, 2,752, 1,679, 2,462. Number of teachers by months was as follows: 1, 4, 6, 9, 14, 28, 43, 45, 53, 65, 43, 25, 23, 34.

<sup>23</sup>Galveston News, January 28, 1866.

<sup>24</sup>*Ibid.*, March 7, 1866. See also San Antonio Daily Herald, March 16, 1866.

one of the inspectors of the bureau. Brevet Major General J. B. Kiddoo received the appointment as Gregory's successor. The people of Texas welcomed the change with hope as it was thought that Kiddoo would do more to relieve the towns of congestion and influence the negro to return to the farm. In this connection the *Galveston News* seemed to express the feeling of the majority:

We suppose many bright anticipations of the speedy incarnation of Sambo's dusky exterior will end in murky despair as it is probable that instead of idly bleaching in the shade of the towering walls of the Bureau, he will be encouraged to seek an honorable and honest livelihood in the cotton patch and corn field.<sup>25</sup>

Kiddoo took a philosophical view of the situation. He believed that the bureau had two main functions: one, to teach industry to the freedmen that they may be enabled to live, and two, to give them a chance for intellectual growth so that they will know how to live.<sup>26</sup>

In General Kiddoo's statements on assuming the duties of commissioner one finds summarized his estimate of what Gregory had achieved. In his report to Howard he said:

I have good reason to believe that General Gregory labored under great difficulties, and worked very hard in the original organization of the bureau. He found an almost universal disposition on the part of freedmen not to enter contracts. He rode through a large portion of the State, and by addressing them in large crowds secured their confidence, and induced them to enter into contracts.<sup>27</sup>

Regardless of Kiddoo's tribute to Gregory he found conditions generally in a bad state and in need of reorganization. He recognized at once that the labor situation needed adjustment, and in his first order he attempted to break up some pernicious practices then in vogue. By this order he declared that any employer, planter, or other person who should entice a freedman to leave the employer with whom he had contracted, either for higher wage or for any other inducement, would be subject to a \$100-\$500 fine while the freedman, if enticed away, should pay a fine

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<sup>25</sup>*Evening Sun* (Baltimore), April 20, 1866, quoting *Galveston News*.

<sup>26</sup>Howard to Stanton, November 1, 1866, in *House Executive Documents*, 39th Congress, 2d Session (Series No. 1285), Document No. 1, p. 744.

<sup>27</sup>Kiddoo to Howard, October, 1866, in *Senate Executive Documents*, 39th Congress, 2d Session (Series No. 1276), Document No. 6, p. 141.

of \$5 to \$25. The fine should not exceed \$50 if the freedman voluntarily left his employer. Kiddoo recognized that it was one problem to get freedmen to make contracts but an entirely different one to get them to keep them, for the negro had some difficulty in understanding how he could be free and still have to work.

Throughout the months of June and July of 1866 the rains in Texas were constant. By mid-summer the crops were in the weeds. Kiddoo immediately ordered the sub-assistant commissioners to visit plantations in their districts or call freedmen to convenient places and lecture to them on the importance of saving the crops. The effect was to save the crop, and in addition the planters were almost persuaded that the bureau was working with them. It likewise convinced the freedmen that the United States government was interested in their welfare.<sup>28</sup>

Kiddoo for the first time in the history of the bureau in Texas attempted systematically to organize the courts and to advance the philosophy that the civil courts should handle all cases as far as possible looking toward the complete return of all judicial functions to the civil authorities. He, therefore, ordered that the bureau should take no cognizance of matters between whites unless freedmen were involved; should take cognizance of affairs between freedmen only when civil courts could not be trusted or were not in full operation; and should take cognizance of affairs between whites and freedmen when there was good reason to believe that the negro could not obtain justice, or when his testimony was not admitted in the courts. All negroes accused of crimes should be tried by civil courts but bureau officials could interfere if the negro did not get justice; all cases of beating, whipping, or maltreating of freedmen should be handled by the bureau; while the murder of freedmen should be under the jurisdiction of civil authorities.<sup>29</sup>

Having organized the bureau more carefully and having done what he could to encourage the negro to work, Kiddoo turned to the educational responsibilities of the bureau. He believed that tuition charges kept enrollment in the schools down to a

<sup>28</sup>*Ibid.*, 144.

<sup>29</sup>*Ibid.*, 145-146.

minimum. When he looked at the total number of freedmen in Texas, about 200,000 (not including refugees), and compared this with the small number reached by the schools, he said at once that a radical change had to be made if the school system was to be effective. Therefore, in December, 1866, he announced that effective January 1, 1867, the schools at Galveston and Houston would be free and that all would be free as soon as the bureau's finances would permit. Almost immediately the attendance at these places increased about fourfold and could have increased much more except for the limited capacity of the buildings and the scarcity of teachers. The result of this announcement, however, was quite unfavorable elsewhere as freedmen were reluctant to pay fees when they were daily expecting the announcement that all would be free.<sup>30</sup>

To remedy the shortage of teachers Kiddoo inaugurated a three-phased program. He arranged with J. R. Shipherd, secretary of the American Missionary Association, to furnish as many teachers as needed, and the society promised to pay the teachers \$15 per month, the amount to be supplemented by additional compensation from the treasury of the Freedmen's Bureau. He established a normal school at Galveston to train teachers under the supervision of D. T. Allen, agent of the American Missionary Association. As a part of Kiddoo's program the army established at Brownsville a night school for non-commissioned officers of the colored regiment stationed there. The purpose was to induce them to remain in the state as teachers after being mustered out of the service. As high as fifty were in attendance at one time, but evidence is lacking that this program produced any teachers for the freedmen's schools.<sup>31</sup>

General Kiddoo was under no illusion about the task he had outlined for himself, but he had great faith that patience, hard work, and sympathetic understanding would bring success. In writing of his wards he said:

One of the greatest difficulties I have to contend with in the experi-

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<sup>30</sup>Kiddoo to Howard, February 18, 1867 (MS., in Bureau of Refugees . . . , National Archives).

<sup>31</sup>Wheelock to Kiddoo, February 18, 1867 (MS., in Bureau of Refugees . . . , National Archives).

ment of free labor is the want of patience on the part of the southern people. They are too ready, and almost eager, to pronounce it a failure. In their sudden liberation from slavery, the freed people are, I will admit, too often restless, shiftless, and suspicious of all restraint, but . . . [they] only need kindness, patience, education, and good faith to overcome.<sup>32</sup>

In spite of his understanding and faith in his task, Kiddoo was to have little time to accomplish anything, for even as he took charge in April, 1866, reorganization was in the offing. In order to consolidate the jurisdiction of the bureau and the military Kiddoo was relieved on January 24, 1867, and the affairs of the bureau in Texas were placed under the supervision of Brevet Major General Charles Griffin with General J. J. Reynolds as assistant commissioner.<sup>33</sup>

When Griffin arrived in Texas and set up headquarters in Galveston, he found fourteen officers and fifteen civilians on duty as sub-assistant commissioners. All, with one exception, were in the southern part of the state and in no case over 180 miles from the Gulf, so that not over one-third of the state and not over one-half of the population had been reached by the bureau. Troops were immediately distributed, and the state was divided (May, 1867) into fifty-seven sub-districts in charge of sixty-nine agents, thirty-eight officers, and thirty-one civilians so stationed as to extend protection to the most distant areas of the state.<sup>34</sup>

Griffin reversed the policy of General Kiddoo and abolished all free schools, but on March 1, 1867, he reduced tuition rates. A graduated system was adopted. The rate was to be fifty cents for one in a family, seventy-five cents for two, and one dollar for an entire family regardless of numbers. Orphans and children of widows were to be admitted free of charge. Furthermore, teachers employed at the time and not receiving aid from a benevolent order were to be paid a monthly sum of \$40 from the treasury of the bureau.<sup>35</sup>

<sup>32</sup>Kiddoo to Howard, October, 1866, in *Senate Executive Documents*, 39th Congress, 2d Session (Series No. 1276), Document No. 6, p. 157.

<sup>33</sup>Howard to U. S. Grant, November 1, 1867, in *House Executive Documents*, 40th Congress, 2d Session (Series No. 1324), Document No. 1, p. 683.

<sup>34</sup>Wheelock to Alvord, Galveston, February 20, 1867 (MS., in Bureau of Refugees . . . , National Archives).

<sup>35</sup>J. T. Kirkman to Charles Griffin (broadside), February 7, 1867 (MS., in Bureau of Refugees . . . , National Archives).

The picture drawn in June of 1867 was highly promising, but the withdrawal of bureau assistance in the payment of tuition combined with other factors to reduce attendance to a minimum. In June of 1867 there were 2,975 freedmen in day schools and 2,182 in Sabbath schools, while in September of the same year there were only 268 in day and night schools and 160 in Sabbath schools. This drastic reduction in numbers was brought about by the withdrawal of bureau funds, the return of American Missionary Association teachers to the north, total reliance on tuition except in extreme cases of poverty, partial failure of the crops, and a devastating scourge of yellow fever.<sup>36</sup> In September, 1867, the educational program of the Freedmen's Bureau reached its lowest ebb since its organization. At that time there were only four schools under its supervision and only six teachers as compared with twenty-seven schools and twenty-three teachers in September of the previous year.

The schools did not recover from the slump until the middle of 1868 when Reverend Joseph Welch became superintendent of the Texas schools. The reports to Washington of late 1867 and early 1868 were filled with apologies and explanations. A. H. Cox, freedman official at Liberty, reported that the whites in his area "do not educate their own children" and that they were bitter against the education of the negroes. He further stated that the negroes there were unteachable and that the freedmen have no interest in anything except "to eat and to lay in the shade."<sup>37</sup> The representative at San Augustine had despaired of achieving anything and believed nothing could be done in regard to education in "the present unsettled condition."<sup>38</sup> Elsewhere in Texas the reports were the same. The report from Columbus is typical. The bureau representative there (L. W. Stevenson) wrote:

Public sentiment is decidedly not in favor of the education of the

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<sup>36</sup>Reverend Joseph Welch to Reverend J. W. Alvord (Austin), July 1, 1868 (MS., in Bureau of Refugees . . . , National Archives).

<sup>37</sup>A. H. Cox to J. P. Richardson (A.A.A.G.), April 30, 1868 (MS., in Bureau of Refugees . . . , National Archives).

<sup>38</sup>A. A. Mintzer to J. P. Richardson, April 30, 1868 (MS., in Bureau of Refugees . . . , National Archives).

freedmen. A person who attempts to teach a freedman loses caste and takes rank below a nigger [*sic*] in the estimation of the whites.<sup>39</sup>

Most of the men reported a passive resistance to the schools, but in some instances violence and threats of violence against negro churches and schools were reported. At Palestine an attack was made on the colored church, the house was stoned, windows were broken, and the preacher and congregation were driven into the streets. The preacher (Starr, white) was informed that "if he attempted to preach there again he would preach his next sermon in Hell." This second offense of the same type at Palestine was gleefully reported by the press under the caption, "Church is Out." Negro schoolhouses were burned at Waco, Brenham, and elsewhere. In some instances it was reported that property could not be bought if its proposed usage was for schools or churches for negroes. At Austin it became necessary to conceal the purpose before a lot could be obtained for a schoolhouse for freedmen. At Marshall the authorities were blocked in the purchase of a building for a school by a Doctor Samson who was described as secretary of the Loyal League.<sup>40</sup>

The passage of the Reconstruction Act of March 2, 1867, in full swing by the beginning of 1868, tended to check the defiant spirit of the people of Texas and to raise the hopes of those interested in the education of the freedmen. This act required the ultimate dismissal of citizen agents and the substitution of regular army officers. By November, 1867, twenty-eight agents and forty-eight volunteer officers had been dismissed.<sup>41</sup>

In the summer of 1868 the Congress ordered the withdrawal of the Freedmen's Bureau except for the educational and bounty divisions, and officers were notified of their discharge effective on December 31, 1868.<sup>42</sup> By this same act the office of the assistant

<sup>39</sup>John Dix (Corpus Christi), Charles Haughn (Waco), Gregory Barrett (Tyler), J. H. Morrison (Palestine), J. P. Butler (Huntsville), T. M. K. Smith (Marshall), L. W. Stevenson (Columbus), D. C. Brown (Paris), W. H. Horton (Bastrop) to J. P. Richardson, April 30, 1868 (MS., in Bureau of Refugees . . . , National Archives).

<sup>40</sup>H. Sweeney to Welch, November 4, 1867 (MS., in Bureau of Refugees . . . , National Archives).

<sup>41</sup>Howard to Grant, November 1, 1867, in *House Executive Documents*, 40th Congress, 2d Session (Series No. 1324), Document No. 1, p. 621.

<sup>42</sup>Howard to W. T. Sherman, October 20, 1869, in *House Executive Documents*, 41st Congress, 2d Session (Series No. 1417), Document No. 142, p. 2.

commissioner was combined with the superintendent of schools.

These two developments coupled with the appointment in the summer of 1868 of the Reverend Joseph Welch to superintend Texas schools seemed to have breathed new life into negro education in the state. The schools steadily grew in number and enrollment. There were four schools, six teachers, and 268 enrolled in September, 1867; in September, 1868, there were forty-seven schools, forty-five teachers, and 1,556 enrolled. Approximately two years later there were sixty-two schools, sixty-eight teachers (thirty-four white), and 3,035 enrolled.<sup>43</sup>

School reports of 1869 and 1870 were quite optimistic as compared with those of 1867 and 1868. In the closing days of the bureau's activities the greatest progress was shown. Welch reported in 1870 that five new brick schools had been built at Galveston, Houston, and Brownsville and that frame buildings had been erected at Hallettsville, Walnut Creek, and Wallisville. In addition to this, extensive repairs had been made on school buildings at Victoria, San Antonio, Galveston, and Webberville. The most heartening report was made of a changing attitude toward the schools. The Reverend Welch said that there was definitely an improvement in the conduct of the various communities toward the teachers and the schools and reported only one instance for the year of 1869 of violent action against a school or a teacher. A change of tone is particularly noticeable, almost without exception, in the press for the years of 1869 and 1870. Such papers as the *San Antonio Express*, the *San Antonio Herald*, the *Waco Tribune*, the *Galveston News*, the *Houston Telegraph*, and the *Texas State Gazette* (Austin) definitely changed their tone and in a veiled fashion approved education for the freedmen.

Typical of the pleas which graced the pages of many papers in the dying days of the bureau is the following from the *Houston Telegraph*:

But above all, let everything be done for their [freedmen] education. Help them to build churches and school-houses, go among them and bring their children into Sunday Schools, encourage our own

<sup>43</sup>Welch to Alvord, Semi-Annual Report, June 30, 1870 (MS., in Records of the Bureau of Refugees . . . , National Archives).

citizens to become teachers of their day schools, and show an interest in their welfare in every way.<sup>44</sup>

The work of the Freedmen's Bureau was completed in 1870, and in the last report of schools under the bureau's jurisdiction Welch reported a total enrollment (regularly and irregularly reported) of 6,499.<sup>45</sup>

This last report, however, was not all optimism. The bureau had set out to establish free schools for the negroes supported by the public and of the same quality as the white schools. Welch said in effect that from his observation and experience he was convinced that this would be a practical impossibility. He insisted that the government did not sufficiently protect the teachers of the freedmen and that this protection must be forthcoming. Along with the report that public sentiment showed great improvement he described certain outrages against teachers of freedmen. At Gonzales, as the teacher was about to close the night school, Welch reports:

A party of five or six men, disguised, attacked him with revolvers and after beating him unmercifully threw him into the river, and threatened to drown him but didn't do it.<sup>46</sup>

In connection with Alvord's final report to Howard it is highly diverting to note that he announced, as if surprised, that after five years of the bureau's educational activities in Texas "the negroes are still ignorant."<sup>47</sup>

#### FREEDMEN'S BUREAU VS. CIVIL AUTHORITIES

Conflict between the civil authorities and the military was inherent in the situation in Texas, and the establishment of the Freedmen's Bureau courts increased the probability for such conflicts. There were in Texas three classes of courts, each class

<sup>44</sup>Houston *Telegraph*, April 14, 1869. The editor of the *Houston Union*, a union paper, doubted the sincerity of the editor of the *Telegraph* in publishing the appeal. The *Union* editor suggested that a Sunday school be organized at once with white (southern) teachers and proposed that the editor of the *Telegraph* be elected superintendent of this Sunday school. See *Houston Union*, April 20, 1869.

<sup>45</sup>Welch to Alvord, Semi-Annual Report, July, 1870 (MS., in Records of Bureau of Refugees . . . , National Archives).

<sup>46</sup>Welch to Alvord, January 6, 1870 (MS., in Bureau of Refugees . . . , National Archives).

<sup>47</sup>O. O. Howard, *Annual Report* (Washington, 1870), 12.

claiming criminal jurisdiction. The army claimed jurisdiction in all cases in which soldiers or other employees of the government were involved; the Freedmen's Bureau counted itself supreme in matters relating to the negroes, particularly when it was doubtful whether justice would be given in the civil courts. On the other hand the civil courts claimed jurisdiction in all criminal cases. This overlapping of authority resulted in many clashes which helps to explain the bitter hostility so often manifested toward the agents of the Freedmen's Bureau.

One of the early conflicts occurred in Bosque County. A negro had been arrested, jailed, and indicted for the rape of a young white woman when a bureau agent twenty miles distant demanded that civil authorities surrender the negro to him. The sheriff of Bosque was threatened with arrest and trial if he refused. The negro was turned over to the agent but was released shortly thereafter.<sup>48</sup> A freedman of Matagorda County indicted for murderous assault was forcibly taken from the custody of the sheriff by the local agent of the bureau. A negro cook on a vessel entering Galveston harbor was arrested by civil authorities on the charge of mutinous conduct. In spite of the fact that the arrest was made at the request of the captain of the ship, he was released by order of General Kiddoo who had just replaced Gregory as chief of the Texas Freedman's Bureau. Numerous instances could be cited wherein the bureau overrode civil authority. In Grayson County a government agent, arrested for unlawful conduct before entering upon his official duties, was forcibly released by the bureau. At Brenham the bureau agent seized control of the jail and imprisoned the editor because he criticized teachers of freedmen.<sup>49</sup> In Houston the agents resisted the rearrest of a negro who had escaped after being indicted and confined for assault with intent to murder.

One of the great handicaps under which the bureau operated was the inevitable petty actions of some of its low rank officials.<sup>50</sup>

<sup>48</sup>J. K. Helton to Throckmorton, August, 1866 (MS., in Executive Correspondence, Adjutant General's Office, Austin). See also Read to Throckmorton.

<sup>49</sup>*Flake's Bulletin*, February 6, 1867. See also Charles W. Ramsdell, *Reconstruction in Texas* (New York, 1910), 123ff.

<sup>50</sup>Petty actions, however, were not confined to subordinates. To illustrate this, one need only recall the instance of General Griffin's refusal to allow the body of

Illustrative of this type of officer was one Captain Craig, assistant commissioner of the Freedmen's Bureau, stationed at Brenham. He had brought criticism to the bureau for his part in the arrest of the editor of the *Brenham Banner*<sup>51</sup> and later became involved in an affair at Seguin and again compromised the bureau. Craig desired certain court records and demanded them of the district clerk at Seguin. The clerk refused to surrender the papers and was immediately arrested. The clerk finally gave up the records when Craig threatened to take him to San Antonio, where an epidemic of cholera was raging. Craig destroyed the papers, for which act he was indicted by the grand jury and jailed because he refused to give bail. Three days later, according to Craig's own account, a captain Hunt, under orders from General John P. Hatch of San Antonio, surrounded the jail at Seguin with forty-five men and forcibly released Craig. Protests by the governor to the chief of the bureau and to General Griffin were without results.<sup>52</sup>

There was another side to the story. Not all of the illegal, fraudulent, and atrocious acts were committed by the bureau. Petition after petition relating to outrages committed against freedmen poured into the governor's office at Austin. The case of the freedman Perkins is a classic example. Perkins was wounded by Darwin, his former master, was thrown into jail, and kept there without proper care. Nothing was done with Darwin. Perkins escaped after five weeks and sought the protection of the Freedmen's Bureau, was rearrested on an illegal affidavit, shackled, handcuffed, and turned over to Darwin.<sup>53</sup>

At Prairie Lea, in Caldwell County, a bad situation was reported. A group of citizens of the town sent a memorial to the

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General Albert Sidney Johnston to be carried through the streets of Galveston "because of his late relation to the Confederacy." This he explained in a public letter published in the *Galveston News*.

<sup>51</sup>Kiddoo to Throckmorton, September 13, 1866 (MS., in Executive Correspondence, Adjutant General's Office, Austin).

<sup>52</sup>Goodrich to Throckmorton, Throckmorton to Kiddoo, Craig to Ellis, Throckmorton to Griffin, October 8 to December 22, 1866 (MS., in Executive Correspondence, Adjutant General's Office, Austin).

<sup>53</sup>E. D. Townsend to Throckmorton, December 28, 1866, reporting a telegram from J. C. DeGress, assistant commissioner of the bureau, to E. M. Stanton (MS., in Executive Correspondence, Adjutant General's Office, Austin). See also Claude Elliott, *Leathercoat: The Life History of a Texas Patriot* (San Antonio, 1938), 156ff.

Freedmen's Bureau stating that a reign of terror existed at Prairie Lea, that the freedmen there were grievously wronged in the settlement of their part of the crop, and requested the bureau's intervention.<sup>54</sup> W. C. Phillips wrote Governor James W. Throckmorton that "during my short stay here [Prairie Lea] I have seen freedmen run down by horsemen, run out of town and shot at. On December 8 I saw a freedman whipped because he addressed a young man as Tom instead of 'Mas Tom.'" He said that on another occasion Nelson Smith, a freedman, was shot down because he refused to give his flask of whiskey to two reconstructed rebels.

Such reports of defiant acts of the Freedmen's Bureau and of the no less defiant deeds of the citizens of Texas—the truth of some acknowledged, even though exaggerated and colored—may be multiplied many times from the executive correspondence in the adjutant general's office in the state capitol. The examples cited, however, illustrate vividly the constant and bitter conflict which went on between the bureau and the regularly constituted authorities of the state.

#### THE FREEDMEN'S BUREAU AND THE PRESS

Whatever the bureau accomplished in Texas it achieved in the face of a withering, vicious, and scurrilous barrage of editorial comment from the Texas press. Though not happy at the prospect, the press reluctantly accepted the bureau in the summer of 1865 because the freedmen had become unmanageable and a good crop of cotton might be lost if the negroes could not be sent to the fields. The bureau held out the hope that it could remedy the situation. No doubt the bureau did do much to get the negroes to leave the towns for the cotton patch but in partially failing lost the support of everyone. After the beginning of 1866 the citizens, the planters, and the press began sniping at the organization. The press used sarcasm and humor as its two principal weapons, these weapons being used mainly against the schools.

One of the opening barrages was fired by the *Texas Republican*

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<sup>54</sup>Citizens of Prairie Lea to Freedmen's Bureau, December 10, 1866 (copy in Executive Correspondence, Adjutant General's Office, Austin).

(Marshall) on October 20, 1865. In describing the schools the *Republican* said:

The "American Citizens" of African descent are terribly in earnest. The old, the young, the dame of three-score and ten, the intelligent (?) youth, the bashful (?) maiden, and the little "nig," all attend and express an earnest desire to learn what Massa knows. The instructors are indefatigable in their efforts to "throw light" on a dark (black) subject.<sup>55</sup>

To question further the sincerity of the interest of these "great friends" of the freedmen the *Republican* said that the negro is charged \$2.50 for Noah Webster's *Elementary Speller* worth fifty cents.

The *Galveston News* lauded the methods of instruction in the freedmen's schools, particularly the catechism, or the question and answer method. It went as follows:

Question: To whom are you indebted for your freedom?

Answer: To the Yankee soldiers.

Question: Who are your best friends?

Answer: The Yankee soldiers.

Question: Who protects you in your freedom?

Answer: The Yankee soldiers.

Question: What is the national anthem?

Answer: We'll hang Jeff Davis to a sour apple tree.<sup>56</sup>

The press reached a crescendo of critical opposition by the summer of 1866. Blunder after blunder of petty officers of the bureau had been largely responsible for this. The public and the press had come to believe that bureau officials were actuated by a fundamental partiality for the negro and a snobbish disdain for the interests of the white man, so that the "everything for the white man, and nothing for the negro" was about to be reversed. In the face of this situation the *Harrison Flag* (Marshall), in the summer of 1866, came forth with a plan for a new bureau guaranteed to succeed. The *Flag* suggested that each freedman have

<sup>55</sup>*Texas Republican* (Marshall), October 20, 1865. In a later issue the *Republican* came up with this story: White man [in Marshall] to negro: Is there any danger of being knocked down and robbed on streets at night? Negro: Oh, no, Massa, not de slightest. When de white guards was here, dere was danger, but since dey got de black guards dey ain't no danger. Dey is perfect gentlemen. *Marshall Republican*: This is the first time we ever heard of black guards being called gentlemen. See *Evening Star*, April 19, 1866, quoting the *Texas Republican*.

<sup>56</sup>*Galveston News*, November 13, 1865.

a bureau of his own with a private secretary. Each freed child, according to this plan, should have "whatever it cries for," and white people should be freed if their conduct was satisfactory to the negro. In order to vote, the white male must take an oath that "he would be a nigger if he could."<sup>57</sup>

One of the most fearless editors in Texas was D. L. McGary of the *Brenham Banner*. He published some derogatory remarks about the intelligence of one of the teachers of freedmen near Brenham who insisted on misspelling Texas (Texes). McGary said that in view of the situation obtaining since the military took control it should be spelled "Taxes." For this he was arrested by bureau officials and, on his refusal to pay a fine of \$200, was confined to jail. Upon his release he published the following in his paper:

In the courts of Hell, it is said, first they judge, then they hear, and then compel the accused to confess. The *Bureau* has improved upon the Devil's System of Jurisprudence. It first judges, then punishes, and doesn't trouble itself at all with either hearings or confessions.<sup>58</sup>

Immediately upon the appearance of this diatribe he was re-arrested. He was again released, and, in order to strike the last blow, he said in the columns of his paper:

The Bureau's jurisdiction is confined to refugees, freedmen, and abandoned lands. Under which 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.

The *Houston Evening Star*, an extremely bitter sheet, fired a broadside into Gregory and the Freedmen's Bureau in its issue of May 1, 1866. On the occasion of Philip H. Sheridan's second visit to Texas the *Star* related the story of how Sheridan, after his warm reception on his first visit to the state, had said that if he owned Texas and Hell, he would rent out Texas and move to Hell. In this connection the *Star* observed that the presence of General Gregory in the state would be sufficient, in its opinion, to warrant General Sheridan's remark.<sup>59</sup>

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<sup>57</sup>*Harrison Flag*, July 5, 1866.

<sup>58</sup>*Ibid.*, August 30, 1866, quoting the *Brenham Banner* of August 15, 1866.

<sup>59</sup>*Evening Star* (Houston), May 1, 1866. In a later issue the *Star* gave rules for governing freedmen's schools as follows: "No swearin, fitin, quarelin, nicknamin,

Perhaps no citation could be given which would more accurately reflect the temper of the Texas press and its complete disregard and utter contempt for the Freedmen's Bureau than the following brief statement from the columns of the *Evening Star*:

*Flake's Bulletin* (Galveston) reports that one of the agents of the Freedmen's Bureau was unmercifully beaten and robbed of \$4,000. *What a pity!*<sup>60</sup>

As previously noted the only important function of the bureau in Texas after January 1, 1869, was that of providing an educational program. By order of General Howard, on June 30, 1870, this function was discontinued and the bureau ceased to exist.

During the approximate five years of the bureau's existence in Texas it achieved little success except possibly in its educational work. In the face of bitter and sometimes unreasonable opposition it set up and operated a system of negro schools which must have had a salutary effect. No one except the most naïve could claim that people of the state had been brought to accept negro education, but it must be said that progress had been made in that direction. In some vicinities men dared talk of the establishment of negro schools to be supported in the same manner as the white schools. In one instance at least, at San Antonio, the bureau officials reported that plans were completed to turn the negro schools over to the city to be supported by it.

It may be doubted that this tremendously progressive step could have been taken so soon except for the work of the bureau. That the bureau had helped to sell the idea of negro education is also well attested by the fact that the tone of the press became much less bitter in the last days of the sixties and even sang the praises of the general idea, though ever so faintly. That the southerners were coming to accept the idea is further indicated by the increased percentage of the whites among the teachers of freedmen and the decrease in the number of violent acts committed against them.

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restlin, jumpin, pinchin, stickin pins into each other, pullin hare, courtin durin boox, or crackin walnuts. These rools must *be* observed or violator will be punished accordin to verdick of the trusteease." See *Evening Star*, May 10, 1866.

<sup>60</sup>*Ibid.*, April 30, 1866.