

Reconstruction in Nueces County, 1865-1876

Randolph B. Campbell

Reconstruction remains one of the most controversial periods of Texas history. Generation after generation of Texans have associated the era with oppression of Southern whites, government by carpetbaggers and former slaves, impossibly high taxes, and rampant corruption. According to this view, the first phase of Reconstruction, which began under the direction of President Andrew Johnson and his appointees in 1865, operated with acceptable moderation and in less than two years prepared Texas for readmission to the Union. However, in March 1867 Radical Republicans in Congress brushed aside Presidential Reconstruction and replaced it with congressional control, administered by the United States Army. This Congressional or Military Reconstruction was seen as elevating carpetbaggers and freedmen and ruining Southern whites. Even after Texas returned to the Union in April 1870, Radical Republicans led by Governor Edmund J. Davis continued to control state government, creating a regime of unparalleled tyranny and pillage. Finally, conservative Democratic "Redeemers" regained control of the government with the election of Richard Coke as governor in 1873 and wrote an end to the era with a new state constitution that went into effect in February 1876. This view of Reconstruction in Texas went largely unchallenged until the 1960s, when historians began to revise it—pointing out, for example, that claims concerning tyranny were exaggerated and that Republicans were not necessarily corruptionists—but a negative interpretation of the era still seems rooted in the popular mind.¹

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¹Edgar P. Sneed, "A Historiography of Reconstruction in Texas: Some Myths and Problems," *Southwestern Historical Quarterly* 72 (April 1969): 435-448; Barry A. Crouch, "Unmanacled? Texas Reconstruction: A Twenty-Year Perspective," *Southwestern Historical Quarterly* 93 (January 1990): 275-302; Randolph B. Campbell, "Carpetbagger Rule in Reconstruction Texas: An Enduring Myth," *Southwestern Historical Quarterly* 97 (April 1994): 587-596.

Reconstruction in Texas thus remains an important area of historical research, especially since the state still operates under the Constitution of 1876 with its "Redeemer" attitudes toward government and taxation. A new state-level study is badly needed, but local history provides another useful and underutilized approach to the subject. Local studies ask: How did Texans at the grass roots experience Reconstruction? How, exactly, did national and state-level events and policies from 1865 to 1876 come home to ordinary people in counties across the state and affect their everyday lives? More specifically, how much political, economic, and social change did the era bring? Answers to these questions, which obviously will differ from one part of Texas to another, should improve our understanding of just how "good" or "bad" Reconstruction was for different groups of Texans—conservative Democrats, Unionists, Republicans, freedmen, and ethnic minorities—in particular localities, and should also contribute to a balanced view of the era for the state as a whole. With those broad purposes in mind, this article attempts to answer the basic questions of Reconstruction for Nueces County.

Antebellum Nueces County had little in common with the stereotypical Old South. Located immediately south of the Nueces River in the coastal bend region of Texas, the county remained largely undeveloped until after the Civil War. Fewer than a thousand people lived there in 1850, and the population stood at only 2,906 in 1860. Corpus Christi, settled during the 1830s and destined to become the region's major city, had 175 residents in 1860. The county's economy depended on open-range grazing of cattle and sheep, although commerce through Corpus Christi showed promise and would increase rapidly after the war. Cotton production was virtually nonexistent, amounting to only 39 bales in 1860, and accordingly slavery had a very limited presence. Nueces County reported 216 slaves in the census of 1860, only 7 percent of the total population. There were 52 slaveholders, representing 11 percent of the county's households, but most owned very few slaves. Nonslaveholders, especially Mexican Texans and the foreign-born, constituted a sizable majority of the population.²

²Brief descriptions of Nueces County and Corpus Christi are found in Walter Prescott Webb, H. Bailey Carroll, and Eldon Branda, eds., *The Handbook of Texas*, 3 vols. (Austin: Texas State Historical Association, 1952, 1976), vol. 1, 415, vol. 2, 290-291. Information on the population, slaveholding, and cotton production in 1860 is from Eighth Census of the United States, 1860, Schedule 1—Free Inhabitants, and Schedule 2—Slave Inhabitants (microfilm), National Archives, Washington, D.C.; United States Bureau of the Census, Eighth Census, *Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census* (Washington, D.C.: Government Printing Office, 1864), 485; United States Bureau of the Census, Eighth Census, *Agriculture of the United States in 1860: Compiled from the Original Returns of the Eighth Census* (Washington, D.C.: Government Printing Office, 1864), 145, 241.

Given how little Nueces County had in common with the Old South, the stance of its voters during the election of 1860 and the secession crisis that followed seems surprising at first glance. John C. Breckinridge, the Southern Democratic candidate, carried Nueces County by a vote of 125 to 44 for John Bell of the Constitutional Union party. Then, news that the Republican Abraham Lincoln had won the presidency led to a public meeting on December 4, 1860, in Corpus Christi. Those who attended endorsed immediate disunion and provided for the election of delegates to a state secession convention. Two strong secessionists, P. N. Lockett and Henry A. Maltby, received overwhelming support and went to Austin in January. In the February 23, 1861, referendum on the convention's decision to take Texas out of the Union, Nueces County favored secession by a vote of 142 to 42.³ Nueces thus appears typical of most Texas counties, supporting disunion by a three-to-one margin. There is some evidence, however, that the county's population did not have quite the degree of unity suggested by events in 1860-1861. First, in the county returns of the gubernatorial election of August 1859, Sam Houston, a strong Unionist, defeated the ultra-Southern Hardin R. Runnels, by a vote of 233 to 105. More than twice as many voters participated in this election as in the presidential election of 1860 or the secession referendum, and the result was victory for the candidate who always favored upholding the Union.⁴ Second, Nueces County Unionists lacked leadership during the crisis. Henry L. Kinney, the founder of Corpus Christi and a member of the Eighth Texas Legislature in 1859-1861, opposed disunion, but he resigned his seat in March 1861 and went to Matamoros. Edmund J. Davis, who would become the most famous Unionist/Republican in Texas, had lived in the county at times during the 1850s but in 1860-1861 was based in Brownsville, serving as judge in a huge state judicial district covering all of South Texas. Perhaps as a resident of Corpus Christi he could have encouraged those who opposed secession.⁵ Thus it appears that Nueces County secessionists seized the initiative and kept it during the momentous events of 1860-1861, whereas Unionists had little leadership and remained away from the polls.

³Mike Kingston, Sam Attlesey, and Mary G. Crawford, *The Texas Almanac's Political History of Texas* (Austin: Eakin Press, 1992), 74; Joe T. Timmons, "The Referendum in Texas on the Ordinance of Secession, February 23, 1861," *East Texas Historical Journal* 11 (Fall 1973):16; Eugenia Reynolds Briscoe, "A Narrative History of Corpus Christi, Texas, 1519-1875" (Ph.D. dissertation, University of Denver, 1972), 354-365. Lockett was a 36-year-old native of Virginia and a doctor. Maltby, a 29-year-old originally from Ohio, edited the Corpus Christi newspaper. Eighth Census, 1860, Schedule 1.

⁴Kingston, Attlesey, and Crawford, *Texas Almanac's Political History of Texas*, 56, 74.

⁵*Handbook of Texas*, vol. 1, 469, 962; Briscoe, "Narrative History of Corpus Christi," 354-365.

Nueces County had relatively few men to contribute to the Confederate Army, and most who volunteered remained in the area to defend against Union attacks. United States naval vessels arrived off the coast early in 1862, threatening defensive positions on St. Joseph and Mustang islands that protected approaches to Corpus Christi Bay and the town. In mid-August, Federal forces drove Confederate defenders from the islands and passes and moved in to attack. Gunboats shelled the town, but troops commanded by Major A. M. Hobby prevented a successful landing. Sailors from the U.S. Navy landed south of Corpus Christi, but were soon driven away. Federal ships arrived again in November 1863 and once more took the protecting coastal islands, allowing Union forces to attack the town successfully on Christmas Day. Occupation troops did not remain for the duration of the war, but moved in and out largely at will in 1864 and 1865.⁶

Thus Nueces County, particularly Corpus Christi, suffered a great deal more military action than was typical across the state. Civilians who wanted to leave had time to evacuate before Union attacks in 1862 and 1863; nevertheless, their town suffered more damage than most in Texas. Nueces County also had significant internal divisions among its people that would not disappear with the end of the war. For example, Edmund J. Davis, the Unionist district judge who regarded the county as home, left the state once fighting began. He became commander of the First Texas Cavalry in the United States Army and emerged from the war as a brigadier general. Another area resident, Cesario Falcon, served as a captain in the Second Texas Cavalry (USA) in 1863-1864. John James Dix, Sr., a native of Massachusetts who had settled in Texas in 1834 and established a hotel in Corpus Christi in 1849, left the state because of his Unionism. Late in 1864, a Nueces County grand jury indicted Dix and eight others for treason. Nothing came of the charges before the end of the war, but they were symptomatic of local political attitudes.⁷ Even though Nueces differed economically and demographically from most Texas counties, Reconstruction there promised to be a difficult matter.

A brigade of black troops from the 25th U.S. Army Corps occupied Corpus Christi during July 1865, and Union officers began to parole ex-Confeder-

⁶Alwyn Barr, "Texas Coastal Defense, 1861-1865," *Southwestern Historical Quarterly* 65 (July 1961): 6, 11-12, 27-28; Bill Winsor, *Texas in the Confederacy: Military Installations, Economy and People* (Hillsboro, Tex.: Hill Junior College Press, 1978), 15, 87; Briscoe, "Narrative History of Corpus Christi," 367-368, 379-402, 433.

⁷Briscoe, "Narrative History of Corpus Christi," 393-402, 433, 449-450; Marcus J. Wright, comp., *Texas in the War, 1861-1865*, ed. by Harold B. Simpson (Hillsboro, Tex.: Hill Junior College Press, 1965), 69, 162; William L. Richter, *Overreached on All Sides: The Freedmen's Bureau Administrators in Texas, 1865-1868* (College Station: Texas A&M University Press, 1991), 185.

ates.⁸ In September, Andrew Jackson Hamilton, President Andrew Johnson's appointee as provisional governor of Texas, restored an interim local government by appointing county officials and a district judge. Hamilton had to fill a dozen or so offices in each of more than a hundred counties within a few months. Not surprisingly, therefore, many of his choices proved controversial in one way or another. Disapproval from the secessionists was to be expected, but Unionists often found fault with appointees as well. In Nueces County, many of the new officials were local loyalists. Hamilton made John J. Dix, just back from wartime exile, county judge. Henry W. Berry, the choice for sheriff, was an Ohio-born hotel keeper who had been accused of cooperating with occupying Federal forces in 1864. Two of the county commissioners, James Bryden and Matthew Cody, could swear the Test Oath of 1862 (the so-called "Iron-Clad Oath") that they had never voluntarily aided the Confederacy, and the third, John McLane, was a personal friend of Edmund J. Davis. All five of these men had lived in the county before the war, and two, Cody and Berry, had held local office before. Unionists certainly approved of these men, whereas ardent secessionists, who probably objected, gave no public indication of their feelings. Somewhat ironically, the first controversy involving a Hamilton appointee arose over District Judge E. P. Upton who, rather than antagonizing secessionists, drew the wrath of local Unionists for supposedly protecting former Confederate sympathizers.⁹

Judge Upton, a native of Maine (before it was separated from Massachusetts), came to Texas in 1858 and took up residence in Refugio County. He contended in 1867 that he had suffered "wrongs and indignities" for opposing secession, but Nueces County Unionists insisted that he had supported the rebellion. They were particularly infuriated when Upton refused to hold a scheduled session of his court in Corpus Christi in the fall of 1865. According to County Judge Dix and other Unionists, Upton dismissed the grand jury and closed the court in order to protect two ex-rebels, Charles Lovenskjold and T. O'Callahan, from charges pending against them. The judge, they complained to Governor Hamilton, was in collusion with the criminals and should be removed from office. The truth of these charges is unknown. Lovenskjold, a native of Denmark and well-to-do lawyer, had lived in Texas for many years

⁸William L. Richter, *The Army in Texas during Reconstruction, 1865-1870* (College Station: Texas A&M University Press, 1987), 17.

⁹Randolph B. Campbell, "Grass Roots Reconstruction: The Personnel of County Government in Texas, 1865-1876," *Journal of Southern History* 58 (February 1992): 99-100, 112, provides a brief general discussion of Hamilton's appointees. The names of and identifying information on the appointees in Nueces County are found in Records of the Secretary of State, Election Registers (hereafter cited as Election Registers), Archives Division, Texas State Library, Austin; and Eighth Census, 1860, Schedule 1.

and would be an active Democrat during Reconstruction. In any case, regardless of whether the two had committed criminal acts or the judge was in collusion with them, Hamilton removed Upton from the bench on January 1, 1866.¹⁰ The replacement appointee, Benjamin F. Neal, apparently was acceptable to Nueces County loyalists, although a glance at his record would raise serious doubts as to why. A native of Virginia, Neal came to Corpus Christi in 1846. He served in both houses of the state legislature during the 1850s and commanded a Confederate artillery battalion during the war. Neal's Battery fought in the defense of Corpus Christi in 1862-1863, and he emerged from the war with the rank of major. Also, in 1864-1865, while Texas remained a part of the Confederacy, he served as a district judge. Judge Neal thus had no Unionist credentials and must have been acceptable in Nueces County primarily because he lived there. He held court in Corpus Christi during the late spring of 1866, empaneled a grand jury with many notable Unionists on it, and had an uneventful session. Nothing came of the celebrated case against Lovenskjold and O'Callahan.¹¹

County Judge Dix and local Unionists also expressed concern in late 1865 about the treatment of blacks in Nueces County. Some freedmen, they said, were still treated as slaves, and others were denied pay for their work. Dix requested the appointment of a Freedmen's Bureau subassistant commissioner for the county, but headquarters took no action. No doubt a county with approximately 300 blacks constituting eight percent of the population did not stand at the top of the bureau's list of areas in need of a local agent.¹²

Unionists, in spite of their complaints about ex-rebels and the treatment of freedmen, gained full control of Nueces County in 1866. In January, they elected Edmund J. Davis, Texas's best-known loyalist, to the constitutional convention that would pave the way for an elected state government and

¹⁰Hobart Huson, *District Judges of Refugio County* (Refugio: Refugio Timely Remarks, 1941), 85; E. P. Upton to Charles C. Griffin, August 19, 1867, Records of the Office of Civil Affairs for the Department of Texas and the Fifth Military District, 1865-1870 (cited hereafter as OCA), U.S. Department of War, Records of the United States Army Continental Commands, RG 393 (microfilm), National Archives, Washington, D.C.; James Mahon and 11 other citizens of Nueces County to A. J. Hamilton, [October 1865?], and John Dix to Hamilton, December 13, 20, 31, 1865, *Governors' Papers: A. J. Hamilton*, Archives Division, Texas State Library, Austin. Lovenskjold could be located in the census of 1860, but O'Callahan could not. Eighth Census, 1860, Schedule 1.

¹¹Huson, *District Judges of Refugio County*, 81-83; *Members of the Texas Legislature, 1846-1980* (Austin: Texas State Legislature, 1980), 5, 13, 17, 30; Election Registers; District Court Minutes, Book C, 1-51, District Clerk's Office, Nueces County Courthouse, Corpus Christi.

¹²"Petition from John Dix and other Loyal Citizens of Nueces County," December 9, 1865, Records of the Assistant Commissioner for the State of Texas, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869 (hereafter cited as BRFAL), United States Department of War, RG 105 (microfilm), National Archives, Washington, D.C.

representation in Washington. Once the convention completed its work, elections were held on June 25, 1866, to choose state and local officials under the terms of the new constitution. In the race for governor, J. W. Throckmorton, the more conservative candidate, defeated E. M. Pease, but only by a vote of 146 to 134 in Nueces County, a much closer contest than those in most counties. And Unionists took the key local positions. Dix continued as county judge; Berry, as sheriff; and Cody, Bryden, and McLane, as county commissioners. The fourth seat on the commissioners court was won by John Kellett, a native of Florida who was probably a Unionist in that he later became a Republican. Judge B. F. Neal remained on the 14th District Court bench, defeating E. P. Upton, whom he had replaced at the beginning of the year, by a vote of 275 to 0 in Nueces County.¹³ Once the commissioners court met in August and the district court in December, the progress of self-reconstruction must have seemed largely satisfactory to those who had opposed secession in the first place.¹⁴

John Dix remained concerned about mistreatment of the freedmen and wrote bureau headquarters again in September 1866 seeking the appointment of an agent for the county. Even as county judge, Dix wrote, he could not guarantee the rights of blacks. The Freedmen's Bureau finally responded by making Dix himself the subassistant commissioner for Nueces County in April 1867.¹⁵ By that time, however, Congress had taken over Reconstruction and ordered the entire process repeated, beginning with the election of a new constitutional convention in February 1868. The Reconstruction Act of March 1867 also ordered the enfranchisement of blacks and the disfranchisement of anyone, such as antebellum officeholders, who had taken an oath to uphold the United States Constitution and then engaged in rebellion.¹⁶ Congressional Reconstruction thus promised even more strength for Unionists and greater protection for the freedmen.

A small force of Federal soldiers (a noncommissioned officer and 10 men) arrived at Corpus Christi on April 19, 1867. The army brigade that occupied the town immediately after the war had been removed within a year, and this

¹³Records of the Secretary of State, Election Returns, 1866, Archives Division, Texas State Library, Austin, have the results of state and district contests. No returns are available on the races for county offices in 1866. Names of the winners are from the Election Registers. Kellett is in the Eighth Census, 1860, Schedule 1. *Corpus Christi Weekly Gazette*, December 20, 1873, identifies him as a Republican.

¹⁴Nueces County Commissioners Court Minutes, Book C, 30-31, County Clerk's Office, Nueces County Courthouse, Corpus Christi; District Court Minutes, Book C, 53.

¹⁵John Dix to Joseph B. Kiddoo, September 25, 1866, BRFAL; Richter, *Overreached on All Sides*, 185.

¹⁶Charles W. Ramsdell, *Reconstruction in Texas* (New York: Columbia University Press, 1910), 145-149.

small body of troops had the sole purpose of maintaining order during Congressional Reconstruction. John Dix, now county judge and Freedmen's Bureau agent, reported that the soldiers, whom he quartered in the courthouse, had a good effect on "the would be refractory and turbulent" and gave the blacks a sense of security. Freedmen in the county, Dix wrote, worked hard and behaved well. In a similar vein, Colonel Nelson Plato, a Union army veteran from New York who had settled in Nueces County following the war, informed General Charles C. Griffin, commander of the District of Texas, that the rebels had learned their lesson. They have, he wrote, "forsaken their *Paths of Sin* & once more look to *Uncle Sam* as their savior."¹⁷

Although pleased with the presence of troops, Judge Dix nevertheless found several things to worry about as Congressional Reconstruction began. First, he had become almost as unhappy with District Judge B. F. Neal as he had been with E. P. Upton in the fall of 1865. Emphasizing Neal's support of the Confederacy, Dix claimed that the judge made law enforcement a farce and called for his removal. E. J. Davis joined in the demand for a replacement, telling General Griffin that Neal was an "ignorant, prejudicial, and bitter fellow." Second, Dix worried about the registration of voters scheduled to begin during the summer. "I have some doubts about the working of the proposed plan of registration," he wrote. "The number of traitors that will be disfranchised by it, I fear will not be sufficient to secure a loyal convention."¹⁸

Developments during the spring of 1867 brought some reassurance to Dix on both of these concerns. In response to numerous complaints from across the state concerning district court judges, General Griffin on April 27 issued Circular Orders No. 13 requiring all jurors to swear the Test Oath that they had never voluntarily supported the Confederacy. This order came too late to affect the spring session of Judge Neal's court in Nueces County, which ended on April 19, but Dix welcomed it anyhow. "Justice will be done to the freedpeople now more commonly," he wrote, "since a rebel is not permitted to sit upon a jury."¹⁹ The prospects for voter registration that would deal

¹⁷John Dix to Joel Kirkman, April 23, 1867, BRFAL; Nelson Plato to Charles C. Griffin, April 23, 1867, OCA. Plato is in the Ninth Census of the United States, 1870, Schedule 1—Inhabitants (microfilm), National Archives, Washington, D.C. He held the rank of major in the Union army in 1865. Robert N. Scott, comp., *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 70 vols. in 128, (Washington, D.C.: Government Printing Office, 1880-1901), Ser. 1, Vol. 46, Pt. 2, 173.

¹⁸John Dix to Joel Kirkman, April 23, 1867, BRFAL; Edmund J. Davis to Charles C. Griffin, April 23, 1867, OCA.

¹⁹John Dix to Joel Kirkman, April 30, 1867, BRFAL; District Court Minutes, Book C, 150. The Jury Order is discussed in some detail in Randolph B. Campbell, "The District Judges of Texas in 1866-1867: An Episode in the Failure of Presidential Reconstruction," *Southwestern Historical Quarterly* 93 (January 1990): 368-373.

stringently with ex-Confederates improved when E. J. Davis was made supervisor of the 5th Registration District including Nueces County. Dix compiled a list of blacks who would be eligible to vote and reported with satisfaction that many whites intended not to register. He reported also that Mexican Texans, because of their loyalty to the United States, would register and vote in support of Unionists.²⁰

Dix thus enjoyed a position of considerable strength as Congressional Reconstruction began, but he and his officeholding allies still faced significant opposition. On June 5, 1867, more than 40 Nueces County citizens petitioned General Griffin, seeking the removal of Dix as both county judge and bureau agent. The petitioners claimed that the judge and a few friends such as E. J. Davis, county commissioners James Bryden and John McLane, and county clerk Joseph Fitzsimmons, formed a combination who, in spite of having less-than-perfect records themselves, pleaded special loyalty to the Union as a basis for controlling the local government and reaping financial benefits from it. Dix, the petitioners continued, issued arbitrary rulings based on things that happened during the war. Blacks in the county were not numerous and enjoyed "freedom and equal rights." Moreover, courts would operate fairly for freedmen and others regardless of the Test Oath order for juries.²¹

As might be expected, General Griffin ignored this appeal, and Dix kept his positions. Nevertheless, the petition pointed up the complexities and tensions of Reconstruction at the grass-roots level. No doubt most of those who had supported the Confederacy had the kind of prejudice against the Union and freedmen that Dix constantly pointed out. And Dix's concern for the former slaves was genuine. He used his offices to protect their interests, although whenever possible he encouraged former slaves to manage their own affairs because that "makes these men more self reliant and independent." He established a school in his Corpus Christi hotel, and Mrs. Dix labored there as an unpaid teacher. He was one of a small minority, North or South, who believed that the national government should give freedmen an economic foothold. "...I trust," he wrote bureau headquarters in September 1867, "that Congress will provide them homesteads at its next session." On the other hand, some of Dix's allies, such as McLane and Bryden, who were accused of selling beef to the Confederate Army, did not have spotless credentials as Unionists. Also, although it was understandable, Dix himself expressed attitudes toward the white majority that were certain to bring

²⁰Circular No. 16 issued by General Charles W. Griffin, May 16, 1867, Governors' Papers: James W. Throckmorton, Archives Division, Texas State Library, Austin; John Dix to Joel Kirkman, May 2, 1867, BRFAL.

²¹R. J. Denny and 40 other citizens of Nueces County to Charles C. Griffin, June 5, 1867, BRFAL.

trouble. For example, he argued in September 1867 that all rebels should have been disfranchised at the time of surrender; "to expect to make loyal citizens of traitors," he wrote, "is simply impossible. It never has been done, and it is folly to expect to do it now."²² Bitterness was frequently a two-way street during Reconstruction.

Voter registration began in Nueces County on June 18, 1867, and continued until August 6. In late July-early August, a terrible outbreak of yellow fever disrupted registration just as it did every aspect of life in the region. From July 25 through August 17, 106 deaths occurred in Corpus Christi. The registrars reopened the books for two weeks in late September and then for another four days at the end of January 1868. James Downing, a native of England and former United States Army officer; Cesario Falcon, a Mexican who had become a citizen of the United States by virtue of the annexation of Texas and served in the Union army during the war; and Mitchell Thompson, a black drayman born in South Carolina, served as the first registrars. Downing transferred to Live Oak County in July and was replaced by George B. Worden (identification unknown), who in turn left Corpus Christi to escape the yellow fever and was replaced in September by John McLane, the Pennsylvania native who was also a county commissioner. Thus the registrars represented everyone in the county except Southern-born whites.²³

By the end of January 1868, the Nueces County registration list included 261 names: 133 of European descent, 80 of Mexican descent, and 48 blacks. Freedmen, who constituted 18 percent of all voters as opposed to about 8 percent of the county's population, were somewhat overrepresented on the list, but Mexican Texans (at 31 percent of those registered) probably were underrepresented. E. J. Davis, supervisor of registrars in the district, certainly thought so. "I am satisfied," he wrote in early September, "that a large number of Mexicans who are entitled to register in this county have failed to do so. This class of our population was almost universally loyal during the late war, and their failure to take this opportunity to secure the right to vote is to be regretted. The explanation of this lies in the fact that the report was industriously circulated among them that the U.S. intended making war upon Mexico, and that this Registry was for the purpose of making soldiers of them." Davis promised to discover the exact source of the rumors, but he

²²John Dix to Joel Kirkman, November 30 (first quotation), September 2 (second quotation), September 30 (third quotation), 1867, BRFAL; Frank Wagner, "John James Dix," entry to appear in the revised *Handbook of Texas*.

²³List of Registered Voters in Texas, 1869 (microfilm), Archives Division, Texas State Library, Austin. *The Corpus Christi Advertiser*, August 14, 1867, which included an extra edition, reported the yellow fever deaths. Ninth Census, 1870, Schedule 1; E. J. Davis to Charles C. Griffin, July 25, 1867, OCA; E. J. Davis to N. Prine, September 14, 1867, OCA.

failed. In any case, black and Mexican voters constituted nearly a majority, and well over half of the European-ancestry group were native to the North or immigrants from abroad.²⁴ This meant that Republicans in Nueces County did not have to overcome a Southern-born white majority in 1868-1869. Instead, they faced only a relatively small group of what John Dix called "rowdies and disaffected rebels" encouraged by a "trifling newspaper," the *Corpus Christi Advertiser*.²⁵

As voter registration neared completion during late 1867, Congressional Reconstruction touched Nueces County in another way—the replacement of local officials by military order—although not nearly to the extent that occurred across the state. Unlike the many Texas counties that had elected former secessionists to lead local government in 1866, Nueces County had continued Hamilton's Unionist appointees such as John Dix in office and had few who could be removed as "impediments to Reconstruction." Only Sheriff Henry W. Berry, for reasons that are unclear since he was a Hamilton appointee who had served without having complaints made against him, lost his office in early November. John McLane resigned from the commissioner's court and replaced Berry as sheriff. Also in November 1867, General Joseph J. Reynolds, who had replaced General Griffin as commander of the District of Texas upon the latter's death from yellow fever in September, removed District Judge B. F. Neal. Undoubtedly the complaints lodged against the judge by Dix and Davis contributed to this removal. George R. Scott, a Unionist lawyer from Austin, took Neal's place on the bench.²⁶

On February 10-13, 1868, Nueces County voters overwhelmingly (119 to 1) approved the planned constitutional convention and chose E. J. Davis (114 to 5) as their delegate to it. Only 76 whites voted, but 44 of the 48 registered blacks went to the polls. The convention would meet in Austin from June 1 to August 31, 1868, and again from December 7, 1868, to February 6, 1869, before completing a new fundamental law for Texas. Voters would then approve the constitution and choose state and local officials under its terms on November 30 to December 3, 1869, preparing the way for restoration of full civil government during the spring of 1870.²⁷

²⁴List of Registered Voters in Texas, 1869. An examination of the Nueces County lists shows that the names of 32 men of European ancestry, one man of Mexican descent, and two blacks were "stuck" after having been registered. E. J. Davis to N. Prine, September 2, 9, 14, 1867, OCA.

²⁵John Dix to J. P. Richardson, November 30, 1867, BRFAL.

²⁶Campbell, "Grass Roots Reconstruction," 99-101; Election Registers. George C. Scott is identified as a supporter of the Constitutional Union party in James Alex Baggett, "The Rise and Fall of the Texas Radicals, 1867-1883" (Ph.D. dissertation, North Texas State University, 1972), 15.

²⁷Election Returns, 1868; Ramsdell, *Reconstruction in Texas*, 200-276.

As military Reconstruction continued throughout 1868, 1869, and into 1870, Nueces County experienced considerable instability in the personnel of local government, especially on the district court bench and in the sheriff's office. George R. Scott, the district judge appointed in November 1867, served only seven months before being replaced by Jerome B. Carpenter. Judge Carpenter, a Vermont native who had been admitted to the bar in Illinois before coming to Texas after the war, lasted only until February 1869 before also being removed. His replacement, J. B. Hurd, served for the remaining year of military Reconstruction, although apparently without distinction. Virtually nothing is known of his tenure on the bench except one comment by E. J. Davis that the appointment of the "very weak and irresolute" judge was a "bad mistake."²⁸ John McLane served as sheriff from November 1867 until his removal in July 1868. Military commanders appointed Elijah H. Wheeler and then Nicholas Dunn to replace McLane, but each in turn refused to serve. Finally, at the end of October 1868, Peter Benson, a former member of the 14th New York Infantry who came to Corpus Christi after the war, took the position, but he served only six months before being replaced in April 1869 by Dennis Kelly, a 28-year-old native of Ireland. John Dix provided stability by remaining county judge throughout this period, and the rapid turnover of district judges and sheriffs may not have greatly harmed local government.²⁹ Nevertheless, it is unlikely that the changes encouraged respect for, or confidence in, county officials.

Public life appears to have been relatively quiet in Nueces County from 1868 to early 1870, but the region did not escape entirely the violence and controversy so common across the state during those years. John Dix, as agent for the Freedmen's Bureau, had the responsibility of reporting all acts of criminal violence in the county. He reported few such cases during 1867 but in March 1868 sent headquarters accounts of 19 incidents, many of them murders. The list, which had been growing since 1865, included mostly acts of violence involving Europeans and Mexicans, but some cases involved attacks by whites on blacks. One D. W. Pickle, for example, stabbed William Forbes in the back fatally and then boasted, according to Dix, that he had acted simply because his victim was black. Dix did not report many more cases of violence during the remaining months of his service as a bureau agent, but local whites continued to draw his disgust. "There is," he wrote in February

²⁸Election Registers; Ninth Census, 1870, Schedule 1. Judge Carpenter's bar membership in Illinois was noted in District Court Minutes, Book C, 166, when he applied for admission to the bar in Nueces County. Edmund J. Davis to James P. Newcomb, July 11, 1869, James P. Newcomb Papers, Center for American History, The University of Texas at Austin.

²⁹Election Registers; Ninth Census, 1870, Schedule 1; Briscoe, "Narrative History of Corpus Christi," 483.

1868, "and always has been...difficulty in controlling these people by civil law for the reason that they have never been educated to respect it." They neither "fear God nor regard man," he concluded.³⁰

The spring 1868 term of the district court in Nueces County brought an interesting challenge to military Reconstruction. Daniel Haverty, who faced a probable indictment for swindling, challenged the grand jury on constitutional grounds. First, he argued that County Judge John Dix, who presided over the commissioners court when it selected grand jurors, and Sheriff John McLane, who summoned the jurors to serve, were both employees of the United States (Dix as a Freedmen's Bureau agent and McLane as head of the Board of Registrars) and therefore ineligible to perform state judicial duties. Second, Haverty challenged three grand jurors because they were blacks and "not a citizen or qualified voter according to the Constitution and laws of the State of Texas." He also claimed that juror Guadalupe Cardenas was not a citizen. District Judge George R. Scott overruled Haverty's objection to the role of Dix and McLane and declared that the challenge to the blacks was "not sufficient in law." Cardenas, the judge declared, was a citizen. Haverty's action indicates one of the many kinds of disputes created locally by military Reconstruction, and it shows participation by blacks in the justice system in Nueces County several years before that practice became common across Texas.³¹

Voter registration reopened for two weeks in late November 1869 in preparation for the referendum on the new state constitution and the election of officials under its terms. Brevet Major E. G. Bush of the 10th United States Infantry, Guadalupe Cardenas, and Matthew Cody, Sr. (a native of Ireland), served as registrars, vigilantly rejecting any man who had ever sworn an oath to support the Constitution of the United States and then supported the Confederacy. For example, the registrars refused to register Peter Dunn because he had been an alderman before the war and rejected John H. McMahan for having served as a deputy sheriff. By November 30, Nueces County had 280 voters of European origin (57 percent), 138 of Mexican origin (28 percent), and 76 blacks (15 percent). Nearly three-fourths of the European-origin registrants came from the northern United States or foreign nations.³² Thus Southern whites, the backbone of conservative opposition to

³⁰"Records of Criminal Offenses Committed in the State of Texas," vols. 11-13, pp. 39-40, 78, 95, 114, 127, 162, 168 (pagination continues consecutively through the three volumes), BRFAL. Evidence that Dix had been building the list of violent acts since 1865 is in his letter to J. P. Richardson, March 10, 1868, BRFAL. Quotations are from Dix to Richardson, February 29, 1868, BRFAL.

³¹District Court Minutes, Book C, 162-165.

³²List of Registered Voters in Texas, 1869; Reports by Board of Registrars, Nueces County, November 16-17, 18-22, 26, 1869; Ninth Census, 1870, Schedule 1.

Reconstruction, were in a decided minority.

Statewide, the four-day election (November 30 through December 3, 1869) was essentially a contest between Radical Republicans led by E. J. Davis and moderate Republicans led by A. J. Hamilton. Democrats, except for extreme conservatives, tended to support Hamilton. The results in Nueces County were, in the words of the *Galveston News*, "rather mixed." As would be expected, since it was his home county, E. J. Davis outpolled Hamilton in the governor's race, 231 to 143. A Radical carpetbagger named Albert J. Fountain who lived in El Paso carried Nueces County overwhelmingly in winning the seat for the 30th District in the state senate. Two of the three men elected state representatives from that district—Ira H. Evans and Nelson Plato—were carpetbagger Radicals from Corpus Christi who ran strongly in their home county. Evans, like Plato, had served in the Union army and settled in the area after the war. However, in the race for United States representative, the moderate John L. Haynes defeated Edward Degener, a Bexar County Radical, by four votes, 186 to 182. (Degener won the election district-wide.)³³

Locally, Nueces County Radicals won a key race when Dennis Kelly, who held the sheriff's office by military appointment, defeated Henry W. Berry, the moderate originally appointed to that position by Hamilton, by a vote of 158 to 149. Joseph Fitzsimmons, the Radical candidate for district clerk, also won. The Radicals, however, suffered a major defeat when Milas R. Polk, a North Carolina-born moderate whom Hamilton had made tax assessor/collector in 1865, defeated John Dix 144 to 123 for the position of presiding officer of the county court. Polk's victory, crowed Henry A. Maltby, former editor and secessionist in Corpus Christi and now publisher of the *Brownsville Daily Ranchero* in Cameron County, "put the venerable Capt. John Dix, Sr., overboard. That balances the other losses and more too." There are no contemporary explanations of Dix's defeat. Perhaps he had done too much for the freedmen, or maybe his obvious sense of New Englander superiority had offended some voters. Also, he was nearing 65 years of age and not in good health. Of the other four positions on the county court, all of which represented very sparsely populated precincts, only two were contested, and Radicals (Samuel R. Miller and Norman G. Collins) won both. The two justices who had no opposition (Richard R. Schubert and John B. Greer) soon joined

³³Election returns for 1869 are found in *Reconstruction in Texas*; Senate Miscellaneous Document 77, 41st Congress, 2nd Session, 1870 (Serial 1408), 38-79. *Galveston News*, December 9, 1869; Ira H. Evans, Vertical File, Center for American History, The University of Texas at Austin; *Handbook of Texas*, vol. 1, 482, 637-638, vol. 3, 381. The third state representative from the 30th District was George Spencer of Starr County, a native of Ireland. *Members of the Texas Legislature*, 62; Ninth Census, 1870, Schedule 1.

the Democrats.³⁴

The "mixed" results of the election of 1869 in Nueces County showed that Republicans had the votes to maintain control, especially if they ended conflict between Radicals and moderates and unified to oppose Democrats. However, unlike the situation in most Republican-dominated counties in East Texas, the party's strength lay in the Mexican-American population and with Northern-born and immigrant voters rather than with freedmen. These Republican voters did not have the unifying interests shared by blacks and were less likely to vote as a bloc. Democrats could win their support in particular races, especially district, state, and national contests involving no local residents. Also, Republican strength was concentrated in Corpus Christi, making it more difficult to control all precincts in the county. Under these circumstances, elections promised "mixed" results for years to come unless Republicans provided satisfactory handling of issues such as maintaining law and order in the region from Corpus Christi to the Rio Grande, public education, and taxes. At least the party had more of a chance in Nueces County than it did in many areas of Texas dominated by white Southerners determined to return to conservative rule.³⁵

Unfortunately, the county's new government proved more unstable during 1870 while Texas returned to its place in the Union—all civil authority was returned to the Davis administration in April of that year—than it had for most of Congressional Reconstruction. Milas R. Polk, just elected as presiding justice, was found in January 1870 to be delinquent in his accounts with the county as tax assessor/collector, a position that he had held since 1865. County Judge John Dix, in his last official act as he neared death, removed Polk from office on January 16.³⁶ Because of the problems as tax collector, Polk could not qualify for his position on the county court either. A special

³⁴*Brownsville Daily Ranchero*, December 11, 1869. Local election returns are in *Reconstruction in Texas*, 38-79. Polk, although no Radical, was a personal friend of E. J. Davis. See Polk to Davis, April 14, 1870, Governors' Papers: Edmund J. Davis, Archives Division, Texas State Library, Austin. Schubert and Greer attended a meeting of Nueces County Democrats in 1873. *Corpus Christi Weekly Gazette*, August 23, 1873. The Constitution of 1869 replaced the county court composed of four commissioners and the county judge with a court composed of five justices of the peace. The justice who resided in the precinct that included the county seat town acted as the court's presiding officer.

³⁵Jefferson County provides a good contrast. Although it, too, was dominated by a growing city (Beaumont), Jefferson had fewer immigrants and Northern-born men in its population and voted conservative in 1869. Randolph B. Campbell, "Reconstruction in Jefferson County, 1865-1876," forthcoming in *The Texas Gulf Historical and Biographical Record* in 1995.

³⁶John J. Dix, Jr., to E. J. Davis, January 16, 1870, Governors' Papers: Edmund J. Davis; M. R. Polk to Davis, April 14, 1870, *ibid.* John J. Dix, Sr., died in January 1870 and Matthew Cody, Sr., served briefly as his replacement. Election Registers.

election had to be held on November 28-December 1, 1870, to fill the positions of presiding justice and those held by the two Republican justices elected in 1869 (Miller and Collins), both of whom also had failed to qualify. Republican candidates enjoyed a new advantage in this election because Governor Davis had ruled that the constitution required county-wide rather than precinct-by-precinct voting in choosing justices. Justices had to reside in the precinct they represented; nevertheless, the large number of Republican voters in Corpus Christi could participate in the selection of the entire county court. Charles Weidenmuller, a native of Germany whose strong Unionism caused him to move to Mexico during the Civil War, won the position of presiding justice. He defeated Henry W. Berry by 25 votes, 110 to 85. Collins outpolled F. C. Gravis, a Democrat born in Texas, by about the same margin, and Miller won without opposition. Membership of the county court remained unsettled, however, because Collins again failed to qualify, necessitating another special election in May 1871. James O. Luby, a young clerk from Ireland, defeated Richard Miller by about 25 votes and finally gave the court a full complement of justices. Luby ran as a Republican but proved so acceptable to Democrats that he would receive their endorsement and run without opposition for reelection in 1873.³⁷

In June 1870, county government received another blow to its stability, at least temporarily, when Sheriff Dennis Kelly was murdered. Sheriff Kelly, while investigating a loud party at a Corpus Christi saloon, got into an argument with Tom Burke, who stabbed him fatally and ran for Mexico. Joseph Fitzsimmons, the Radical district clerk, insisted that the murder was a political crime. Kelly, he wrote Governor Davis, was brave and efficient, "and I have no doubt was marked by the Ku Klux as a victim." No evidence existed to support this charge, however. John McLane, a leading Republican who had held the sheriff's office as a military appointee, replaced Kelly in July and had no further trouble. "Well," he wrote Davis in October, "our town is quiet beyond anything I have ever seen."³⁸

The move toward stability in county government by late 1870 received

³⁷John McLane to E. J. Davis, October 23, December 2, 1870, Governors' Papers; Edmund J. Davis; *Corpus Christi Nueces Valley*, November 12, 26, December 3, 1870. Governor Davis's interpretation of the constitutional requirements on voting for justices of the peace is found in election proclamations that he issued during 1870. See, for example, the *Austin Daily State Journal*, November 4, 1870. For information on Luby, see Election Registers; Ninth Census, 1870, Schedule 1; *Corpus Christi Nueces Valley*, May 13, 1871; *Corpus Christi Weekly Gazette*, December 20, 1873.

³⁸John McLane to E. J. Davis, June 14, 1870, Governors' Papers; Edmund J. Davis; Joseph Fitzsimmons to E. J. Davis, June 14, 1870, *ibid.*; John McLane to E. J. Davis, October 10, 1870, Executive Record Books: E. J. Davis, vol. 1 (microfilm), Archives Division, Texas State Library, Austin.

another boost in November when the state district court held its first session with Judge Tilson C. Barden on the bench. Barden, a native of New York, had come to Texas as a white officer of the 117th United States Colored Infantry in 1865 and mustered out as a captain in 1867 at Brownsville. After serving briefly as judge of the First District during the last year of Congressional Reconstruction, he was appointed by Governor Davis as judge of the 16th District, a position that he would hold until 1876 when a new constitution made district judges elective once again. The spring 1871 court session held by Judge Barden resulted in a grand jury report pointing to the problem of outlaws and criminals operating in and south of Nueces County and calling for all "party dissensions" to be "buried" in the interest of restoring law and order.³⁹ Although Republicans and leading Democrats served on this grand jury and undoubtedly were sincere in calling for cooperation to end lawlessness, their nonpartisanship ended there. Indeed, the advent of the Davis administration in 1870 provided local party activists with a focal point for their differences, and two partisan newspapers—the *Democratic Corpus Christi Weekly Advertiser* and the *Republican Corpus Christi Nueces Valley*—presented their arguments to the public. The latter supported Davis's program, which included a new state police force and public school system, and denied the Democrats' charges that the state government had too much power and was ruining the public with high taxes. The Democrats naturally sought to blame the Davis administration for lawlessness between Corpus Christi and Brownsville.⁴⁰

In the fall of 1871, the relative strength of the two parties in Nueces County received a test in the election of a United States representative for the 41st Congress. To the dismay of Republican activists, their incumbent congressman, Edward Degener, lost to the Democratic candidate, John Hancock, by a vote of 139 to 134. Although Hancock was a conservative Unionist who had left Texas during the war, local Republicans saw Degener's defeat as a sign of dangerous apathy on their part. "The county is Republican," the *Nueces Valley* commented on October 7, 1871, "and there is no reason why it should not go Republican at every election."⁴¹ The next spring, as Texas prepared to participate in its first presidential election since 1860, Nueces County Republicans worked hard to mobilize support for their candidates. In April, a county convention passed resolutions endorsing the records of President Ulysses S. Grant and Governor Davis, and chose John McLane and Dr.

³⁹Huson, *District Judges of Refugio County*, 94-97; District Court Minutes, Book C, 526-527.

⁴⁰*Corpus Christi Nueces Valley*, January 14, June 24, July 29, 1871; *Corpus Christi Weekly Advertiser*, April 8, 1870.

⁴¹*Corpus Christi Nueces Valley*, October 7, November 4, 1871; *Handbook of Texas*, vol. 1, 763-764.

Thomas Kearney, the New York-born customs collector at Corpus Christi, as delegates to the Republican state convention in May. A "Republican and Grant Club" met regularly during the spring and summer before being replaced in August by a "Grant and Wilson Club" supporting the party's national ticket (Ulysses S. Grant and Henry Wilson). All of the county's leading Republicans, such as Judge Tilson C. Barden, Nelson Plato, Charles Weidenmuller, and Joseph Fitzsimmons, participated in these activities. Plato, as editor of the *Nueces Valley*, constantly called for party unity and pointed to the Davis administration's works of civic improvement such as the public school system. The party also benefited from the involvement of General Lewis G. Brown, the New York-born former commander of the 25th U.S. Army Corps on the Rio Grande, who had settled in Corpus Christi after the war. A businessman at first, Brown helped establish the *Nueces Valley* in 1870 and by 1872 was serving as chairman of the Republican executive committee for the 30th Senatorial District. He refused to accept nomination for any office himself, but obviously contributed to the party's cause.⁴²

Nueces County Democrats followed the lead of the national party in 1872 by endorsing Horace Greeley, candidate of the new Liberal Republican party that sought to unite all voters opposed to Grant and the corruption of his administration. The *Nueces Valley* made fun of the Democrats' "Greeley Club," but the *Advertiser* was even uglier about the Grant Republicans. "We want none of their lip!" William H. Maltby wrote. "Teach them that they have been tolerated, because there is no help for it, and not countenanced nor respected as men who had the right to meddle with the political affairs of Texas. Stand back, oh, ye carpetbaggers, scalawaggers, and government stink pots!"⁴³

Only a few county government offices had to be filled in 1872, the most important being those of sheriff and treasurer. Republicans held a county convention in October and renominated John McLane for sheriff and Prokose Hoffman, a liquor dealer born in Bohemia, for treasurer. Two of the 10 delegates from Precinct One (Corpus Christi) to this meeting, Mitchell Thompson and George Wilson, were black, indicating that Republicans backed their pleas for "colored" votes with a willingness to allow black participation. The Democrats chose William L. Rogers, a stockraiser from Louisiana, to oppose McLane, and Felix Noessel, an immigrant from Germany, as the candidate for treasurer.⁴⁴

⁴²*Corpus Christi Nueces Valley*, July 29, 1871; *ibid.*, April 13, 20, 27, May 11, July 13, August 17, 24, September 21, 1872; Ninth Census, 1870, Schedule 1.

⁴³*Corpus Christi Nueces Valley*, September 28, 1872; *Corpus Christi Weekly Advertiser*, July 6, 1872, quoted in Briscoe, "Narrative History of Corpus Christi," 527.

⁴⁴*Corpus Christi Nueces Valley*, October 12, 19, November 9, 1872; Ninth Census, 1870, Schedule 1.

Election results in November 1872 once more proved mixed in Nueces County. The Liberal Republican Greeley defeated Grant by a vote of 373 to 272, and John Hancock, the Unionist Democrat, won another term in Congress by nearly the same margin over his Republican opponent. However, Republican candidates generally ran stronger than Democrats in the election of representatives for the 13th Texas Legislature. For example, James Downing, the former Union army officer, received 417 votes, whereas Henry A. Gilpin of Corpus Christi, his nearest Democratic opponent, had only 279. (Gilpin, a 62-year-old stockraiser originally from Rhode Island, and the other two Democratic candidates—Stephen Powers of Brownsville and J. F. Tom of Pleasanton—won district-wide and went to Austin to participate in "Redeeming" the state legislature.) More important, Republicans won the key local contests by convincing margins. McLane defeated Rogers for sheriff 428 to 204, and Hoffman took the treasurer's office by a 347 to 277 vote.⁴⁵ The party still controlled the county, but as before, it could not deliver a bloc vote for all Republican candidates.

The fall of 1873 brought the first general election since 1869. Statewide, conservative Democrats stood poised to complete the "Redemption" of Texas from Radical rule by electing Richard Coke to replace E. J. Davis in the governor's office. Nueces County Democrats, perhaps emboldened by this prospect, finally matched the Republicans in local organizational efforts. A convention in August sent seven delegates, including county court members Richard Schubert and John S. Greer, to the Democratic state convention in Austin. Another local meeting created a county executive committee and chose candidates for local office. Using a new Democratic newspaper, the *Corpus Christi Weekly Gazette*, the party hammered away at the Davis administration for high taxes and corruption. Democrats, according to the *Gazette*, were longtime residents of Texas, whereas Republicans were newcomers who had flocked to the state like buzzards to a carcass. This charge was not entirely fair, of course, although men such as Nelson Plato, who once more led his party's campaign, were indeed carpetbaggers.⁴⁶

Governor Davis, although he lost badly statewide as conservatives "Redeemed" Texas, carried Nueces County by a vote of 313 to 199 over Coke, perhaps because he lived in South Texas and had many personal friends in Corpus Christi. Republicans also showed their strength locally by reelecting Joseph Fitzsimmons as district clerk and Daniel M. Hastings, a native of Boston, as presiding officer of the county court. However, an Irish-born Democrat, P. F. Murphy, ran first in the contest for state representative, and the party's candidates took the remaining four positions on the county court.

⁴⁵*Corpus Christi Nueces Valley*, November 9, 1872.

⁴⁶*Corpus Christi Weekly Gazette*, January 4, August 23, 30, October 11, 1873.

Two of the races were uncontested, but in the other two Democrats won by sizable margins. W. A. Ball, a young Tennessean, defeated John Kellett (who had served as county commissioner from 1866 to 1869) by a vote of 364 to 134, and Richard Schubert defeated Rafael Salinas 374 to 128. Perhaps even more surprising, Charles Weidenmuller, who had held numerous positions including presiding justice and mayor of Corpus Christi, lost the race for county treasurer to Felix Noessel, the unsuccessful Democratic candidate in 1872. The *Gazette* hailed the end of Davis's administration—saying he “can now retire from public life without a sigh for his loss”—but it had few comments on the results for local government.⁴⁷

Thus statewide “Redemption” in 1873 left Nueces County with a “mixed” local government, a situation that did not change during the remaining three years of the Reconstruction era. Indeed, once the Davis administration ended, local politics apparently became somewhat less partisan and less focused on the issues of Reconstruction. Republicans and Democrats still battled at the polls, but they tended to make more of national and state elections than of local contests and to concentrate more on the performance of county and regional officials than on their partisan qualifications. For example, in July 1874 the Democratic *Weekly Gazette* praised District Judge Tilson C. Barden, a carpetbagger appointed by Davis, for being “impartial and upright” and a terror to criminals.⁴⁸ When two seats on the county court had to be filled at a special election that same month, Reuben Holbein, who had served as county clerk before and during the Civil War, won without opposition in the 4th Justice Precinct, and Charles L. Lege, a German-born immigrant, defeated Rafael Salinas in the 5th Precinct. The *Gazette* had nothing to say about the partisan affiliations of any of the candidates.⁴⁹ In November 1874, Nueces County voters voted Democratic in two national and state races, supporting Gustave Schleicher over Jeremiah Galvan in a contest for the U.S. House of Representatives and giving John M. Moore (a former Confederate soldier) a victory over James Downing (a former Union soldier) in electing a state representative. The editor of the *Gazette* enjoyed these results, but a few weeks later made a point of praising the work of the carpetbagger Nelson Plato as collector of customs at Corpus Christi. We agree, the newspaper said, with the many local citizens who believe that individual Republicans such as Colonel Plato have done a good job.⁵⁰

⁴⁷*Corpus Christi Weekly Gazette*, December 20, 1873; *ibid.*, January 31, 1874 (quotation).

⁴⁸*Ibid.*, July 4, 1874.

⁴⁹*Ibid.*, July 11, 1874. These elections were held because Richard Schubert had resigned and John S. Greer had not qualified. Election Registers.

⁵⁰*Corpus Christi Weekly Gazette*, September 19, October 24, November 7, 28, 1874.

In 1875, Texas “Redeemers,” determined to rid the state of the last vestiges of Congressional Reconstruction, called the election of a convention to write a new fundamental law to replace the Constitution of 1869. The voters of Nueces County, as residents of a thinly populated senatorial district that reached from Corpus Christi to El Paso, strongly favored the Democratic nominees—John S. “Rip” Ford of Cameron County, J. B. Murphy of Nueces County, and Louis Cardis of El Paso—over the Republican nominees—W. H. Russell, C. H. Howard, and R. Benavides. In this case, there were distinct differences between the candidates of the two parties. For example, Ford had been a colonel in the Confederate Army, whereas Russell had been made a district judge by his friend E. J. Davis.⁵¹ The election results did not mean, however, that conservatives had firm control of the county, as would be demonstrated when the convention completed its work and elections were held on February 15, 1876, to approve the new constitution and elect state and local officers according to its terms.

Richard Coke, the “Redeemer” incumbent, overwhelmed his Republican challenger, William M. Chambers, by a vote of 1,007 to 181 in the race for governor, and Democrats won important regional races as well. For example, William L. Rogers defeated John S. McCampbell in the contest for state representative, 675 to 471. In the race for county judge, however, Joseph Fitzsimmons received 635 votes and defeated two challengers, J. R. Spann (451 votes) and Peyton Smythe (113 votes). Fitzsimmons, the leading Republican activist in the county, served as chairman of the party's local executive committee in 1876. His campaign advertisements, printed in both English and Spanish in the *Gazette*, reminded voters that he had held the county clerk's position for 10 years. The sheriff's office also went to a Republican as Thomas Beynon, a native of Wales, defeated Henry W. Berry, the moderate Unionist now turned Democrat who had held the position in 1865-1867, by the slender margin of 592 to 587. Berry challenged the result, but the *Gazette* commented: “We feel satisfied that the new Sheriff is acceptable, not only to those who voted for him, but to those who voted against him as well.” Voters also elected four county commissioners, that office having been restored by the new constitution, but the contests exhibited little or no partisanship. The *Gazette* commented favorably on all candidates, and only one of the winners, Frank C. Gravis, a Democrat, can be identified according to party. The other three

⁵¹*Corpus Christi Weekly Gazette*, June 26, August 7, 14, 1875; *Handbook of Texas*, vol. I, 617-618. William H. Russell, a native Texan, lived in Cameron County in 1880. Davis made him judge of the 15th Judicial District in 1870. United States Bureau of the Census, Tenth Census, 1880, Schedule 1—Population (microfilm), National Archives, Washington, D.C.; Election Registers.

commissioners—Joseph W. Dunn, Andrew R. Valls, and John Vining—were natives of the South, but that apparently had no political implications.⁵²

After 1876, as further evidence that the issues of Reconstruction carried little weight in local elections, the voters of Nueces County voted consistently Democratic in presidential and gubernatorial contests and yet supported well-known Republicans locally. In 1880, for example, Winfield S. Hancock received 890 votes to 169 for James A. Garfield in the presidential race, and Oran M. Roberts defeated E. J. Davis 847 to 208 in the contest for governor. However, Joseph Fitzsimmons won the county judge's office, and Thomas Beynon continued as sheriff.⁵³

Thus, Reconstruction in Nueces County did not end with a definitive "Redemption" by conservative Democrats as was true statewide and in many individual counties, especially in East Texas. Instead, where local government was concerned, the political conflict of that era faded with the passing years. This gradual easing of the struggle between Unionist "Radicals" and ex-Confederate "Redeemers" was no doubt made possible by the relatively small numbers of blacks in the county and the sizable proportion of immigrants, Mexican Texans, and natives of the North. Nueces County's population nearly doubled in the 10 years after 1870, and, by 1880, 43 percent of all residents were foreign-born. White conservatives simply could not appeal to a majority of voters on the basis of issues such as "Negro rule" or loyalty to the South. Moreover, concern over lawlessness in the region from Corpus Christi to Brownsville unified most citizens regardless of partisan views.⁵⁴

As Reconstruction drew to a close, Nueces County's blacks could point to considerable political and social progress. Freedmen voted and served on juries. They held no major offices in local government, but some participated actively in the Republican party. In 1880, the great majority (84 percent) of the county's black families lived in Corpus Christi, where the men worked primarily as draymen and laborers and the women as laundresses and cooks.

⁵²Corpus Christi Daily Gazette, January 5, 7, 29, February 1, 12, 16, 22, 25 (final election returns and quotation), 1876. The newspaper did not give the results of the contests for county commissioner. Winners are in the Election Registers. Basic biographical information on candidates is from Ninth Census, 1870, Schedule 1, and Tenth Census, 1880, Schedule 1.

⁵³Kingston, Attlessey, and Crawford, *Texas Almanac's Political History of Texas*, 60, 74; Election Registers.

⁵⁴United States Bureau of the Census, *The Statistics of the Population of the United States; Compiled from the Original Returns of the Ninth Census (June 1, 1870)* (Washington, D.C.: Government Printing Office, 1872), 64-65; United States Bureau of the Census, *Statistics of the Population of the United States at the Tenth Census (June 1, 1880)* (Washington, D.C.: Government Printing Office, 1883), 410, 443. A good example of the concern over lawlessness regardless of partisan affiliation is found in an account of a public meeting published in the *Corpus Christi Weekly Gazette*, December 20, 1873.

Undoubtedly most were poor, but apparently this did not prevent considerable social stability. For example, nuclear families comprised nearly two-thirds of the 115 black households in the county, and 74 percent of the families with children aged 6 to 16 had at least one of those children attend school for part of the previous year. Reconstruction by no means guaranteed the freedmen of Nueces County a future of opportunity and equality before the law, but at least it allowed one generation to achieve more than might have been expected of people just emerging from slavery.⁵⁵

The Mexican population of Nueces County, having not been enslaved, had less to gain during Reconstruction than did the freedmen. For example, they could vote and serve on juries during the antebellum years. Cesario Falcon and Guadalupe Cardenas served on the local board of registrars in 1867-1869, and Mexican voters clearly contributed to Unionist/Republican success at the polls. No one of Mexican ancestry, however, held a major county office, and the years from 1865 to 1880 seem to have brought relatively little change in the political or legal status of this ethnic group.⁵⁶

Reconstruction brought relatively minor changes, even temporarily, to the lives of Nueces County's Anglo and immigrant population. The county had no antebellum-era slaveholding elite whose members could attempt to retain or regain power, and blacks were not numerous enough to threaten white domination in any way. Tax increases proved disturbing—especially when state and local property taxes that never exceeded 80 cents per hundred dollars in evaluation from 1860 to 1870 soared to \$1.50 on the hundred in 1871. However, Nueces County residents seem to have accepted these taxes with a minimum of complaint, even though rates remained above \$1.00 on the hundred for the next five years. Perhaps rapid growth helped ease the shock of higher taxes. The county's total population increased from 3,975 in 1870 to 7,673 residents in 1880, 3,257 of whom lived in Corpus Christi. Moreover, during the first six years of this decade (1870 to 1876), the total assessed value of taxable property in the county rose from \$1,177,467 to \$3,533,155, an increase of 300 percent.⁵⁷

In short, Nueces County experienced less bitter controversy and racial violence during Reconstruction than did most settled areas of Texas. Located

⁵⁵Information on the black population of Nueces County in 1880 is based on census data reported for all 115 households in the county headed by African Americans. Tenth Census, 1880, Schedule 1.

⁵⁶Election Registers show the offices held by Falcon and Cardenas.

⁵⁷Records of the Comptroller of Public Accounts, Ad Valorem Tax Division, Real and Personal Property Tax Rolls, Nueces County, 1860-1876 (microfilm), Genealogy Division, Texas State Library, Austin; *Population of the United States (1870)*, 64-65; *Population of the United States (1880)*, 347, 410.

on the periphery of the cotton South, with a population increasingly influenced by foreign-born immigrants, the county had relatively little difficulty with emotional issues such as "Negro rule" or government by carpetbaggers. Blacks were less than 10 percent of the population, and carpetbaggers, although more numerous than in most Texas localities, did not dominate local affairs. Even if they had, recent arrivals from abroad or from the Northern states would have cared very little. Curiously, Reconstruction issues—or at least the language that expressed conflict over "Radical" government, taxes, corruption, etc.—seems to have had an effect on the county's voters primarily in state and national elections. From the 1870s onward, they consistently favored conservative Democrats in contests for the state legislature, the governor's office, Congress, and the presidency. At home, however, where individual officeholders were better known and political issues less abstract, Unionists and Republicans continued to win office, and Republican appointees won the approval of their fellow citizens. These "mixed" results reflected a county that did not experience Reconstruction with the same intensity as *did a good many others in Texas; that certainly did not see radical change between 1865 and 1876; and that enjoyed notable growth and prosperity rather than the oppression and hardships so often associated with the era.*