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Alwyn Barr

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MEMBERSHIP IN THE TEXAS LEGISLATURES, 1876-1905

by ALWYN BARR

The political history of Texas from the adoption of a new constitution in 1876 to sweeping changes in its election laws in 1905 forms a distinct period because Negroes continued to vote and hold office and farmers exerted increasing pressure for political solutions to their growing problems. The period also reflected a shift away from the passions of the Reconstruction period and a trend toward greater urban-business influence. An analysis of membership in the legislature during these thirty years provides some insight into the men composing the most powerful branch of Texas government.¹ The legislature in the late nineteenth century passed laws, appropriated funds, regulated county and city government, elected United States senators, and often tried to tell them how to vote. From the fifteen legislatures between 1876 and 1905 came three governors, nine lieutenant governors, twenty congressmen, and one vice-president, John Nance Garner. Yet these men represented only a fraction of all legislators. How should the entire group and its changing composition be described? Were its members, like those of ante-bellum Texas legislatures, men "largely from the Southern States, . . . of middle age, engaged . . . primarily in agricultural pursuits," who usually served only one term?² Or were they, like members of the Constitutional Convention of 1875, predominantly southerners, in their mid-forties, Democrats, with a slight majority of attorneys over farmers, a large minority of Grangers, and a high percentage of prior experience?³

Senators in the fifteenth through the twenty-ninth legislatures averaged forty to forty-seven years of age. The low came in 1885 and the high in 1903, in keeping with a slight upward trend during the period. Average age in the house of representatives ranged from forty-six in 1889 to forty-two for several legislatures from 1893 to 1905, indicative of a slight downward trend.

At least 80 per cent of each legislature was southern by birth. In the 1870's and 1880's Tennessee had been the birthplace of the largest number of representatives in five legislatures and of senators in two, followed by Alabama, providing the greatest number of representatives twice, Kentucky the largest number of senators twice, and Georgia the greatest number of senators once. Beginning in 1885 in the senate and 1887, with one lapse, in the house, Texas provided the largest number of its own legislators. Peak figures for northern legislators totaled four senators in 1881 and eleven representatives in 1895. Foreign born highs came in the 1885 and 1887 legislatures with two senators each and in the 1876 legislature with seven representatives. Negro legislators declined in number from two senators and seven representatives in 1879 to two representatives in 1895 and none thereafter as disfranchisement eliminated their electoral base.

Professional men, the vast majority lawyers, consistently dominated the senate with at least 67 per cent of the seats. Agriculturalists, including farmers and ranchers, ranked a weak second followed by businessmen. In the house

Alwyn Barr is an associate professor of history at Texas Tech University. He is the author of *Reconstruction to Reform: Texas Politics, 1876-1906*, published in 1971 by the University of Texas Press.

professional men usually led with 50 to 60 per cent of the membership. But there agriculturalists ran a strong second, with majorities in 1876, 1887, and 1889. Businessmen again ranked a weak third followed by an even smaller number of workingmen. Many of the attorneys represented predominantly rural areas, however, and voted quite like their farmer cohorts. On other occasions farmers and ranchers could be found on different sides of issues such as fencing. The years of agricultural majorities in the house also coincided with the periods of peak influence within the Democratic Party for the Grange and later the Farmers' Alliance. The steady decline in agricultural members probably resulted from the temporary shift of many farmers to the Populist Party and from the trend toward urbanization and industrialization which began during this period. The effects of urbanization became obvious in the legislature as members from towns of 2,500 or more increased from ten senators and eighteen representatives in 1881 to twenty senators and forty-five representatives in 1901. Towns with population greater than the surrounding county increased their representation from three senators and eight representatives in 1881 to four senators and eleven representatives in 1901.¹

Prior experience of members generally increased for both houses during the period. In the 1876 senate only twelve of thirty-one members had served before, while twenty-seven of thirty-one members in 1905 had seen prior service. Only twenty-four of ninety-three representatives in 1876 had served before, compared to sixty-seven of 133 in 1905. Seven legislators of 1876 had served in either state constitutional or secession conventions, though the number dwindled thereafter. Most freshman legislators had served on the city, county, or district levels, their numbers ranging from twenty-six of 126 members in 1879 to fifty-four of 160 in 1901.

Figures on education, military service, religion, and organizational affiliation are spotty, but indicate general trends. College graduates increased in number from thirty-three of 124 members in 1876 to sixty-four of 160 in 1901, though the quality of degrees probably varied to a considerable extent. Confederate veterans naturally declined in number from a peak of eighty-three in the 1879 legislature to twenty-four by 1901. No more than one Union veteran sat in any session. Protestants made up an overwhelming majority of those indicating a religious preference. Methodists led in 1887 with twenty-three of 137 legislators and again in 1901 with thirty-three of 160, followed in order by the Baptists, Presbyterians, Christians, Episcopalians, Catholics, Lutherans, and members of the Church of Christ. Fourteen legislators listed themselves as members of the Farmers' Alliance and two as members of the Knights of Labor in 1887 when both occupational organizations neared their peak strength in Texas. Masons far out distanced other fraternal groups with fifty-one members in the 1887 legislature and sixty in the 1901 legislature, followed by the International Order of Odd Fellows with ten legislators in 1887 and twenty-five in 1901, and the Knights of Pythias with only three legislators in 1887 but forty-four in 1901. The Knights of Honor, with ten legislators in 1887 and twelve in 1901, and the Woodsmen of the World, with twenty-one in 1901, led a variety of other organizations represented in the legislature.

Legislative membership indicated with considerable accuracy the strength of political parties in Texas, with the Democrats maintaining an unbroken majority throughout the period. Republican members steadily declined in number from thirteen in 1879 to two in 1905. Fourteen Greenback legislators

appeared in 1879, but decreased to five in 1881 and none thereafter. Populists elected eight members of the 1893 legislature, increased their strength to twenty-two in 1895, then dwindled to one in 1901. A few independents helped fill the role of dissent when third parties disappeared—six in 1876, four or less in the 1880's.

Thus the average member of the Texas legislatures from 1876 to 1905 appears as a southerner and a Democrat, in his early forties, a professional man (generally an attorney), with prior experience either in the legislature or on the local level. In addition he professed to be a Protestant, quite possibly a Methodist and a Mason. Finally the chances of his having a college education or representing an urban area increased as the chances of his being a Confederate veteran declined.

TEXAS SENATE, 1876-1905

Legislature	1876	79	81	83	85	87	89	91	93	95	97	99	01	03	05
College Education	13	13	x	x	14	15	16	13	x	x	x	x	10	x	x
Average Age	41	42	41	41	40	42	43	44	43	44	43	42	43	47	42
Political Party															
Democratic	28	26	31	31	32	32	32	32	31	30	29	31	32	32	32
Republican	3	4	1								1	1			
Greenback				1											
Populist									1	2	2				
Independent	1	2		1											
Prior Service															
Legislature	12	21	x	16	17	16	23	21	16	24	20	25	24	25	28
Constitutional or Se- cession Convention	6	1	x	3	2				x	x	x	x		x	x
City, County, or District Officer	5	6	x	x	6	3	2	2	x	x	x	x	4	x	x
Veterans															
Confederate	20	23	x	x	12	12	14	12	x	x	x	x	3	x	x
Union			x	x					x	x	x	x		x	x
Occupation															
Professional	20	25	28	25	28	25	25	20	24	21	25	28	28	20	27
Agriculture	1	2	4	3	4	1	3	5	3	4	4	2	4	7	2
Business	2			3	4		1	5	4	4	2	2		3	1
Labor															
Negrees	2	2	1												
Legislature	1876	79	81	83	85	87	89	91	93	95	97	99	01	03	05
Place of Birth															
Alabama	2	4	3	2	3	2	2	2	4	5	2	2	1	1	1
Arkansas			1				1	1	1			1	1	1	3
Florida	1	1					1						1		
Georgia	2	5	5	5	6	4	4	4	2	4	2	3	4	1	2
Germany				1	2	1	1	2	1	1				1	1
Illinois									1		1				
Indiana		1	1												
Iowa			1												
Ireland						1									
Kentucky		5	6	7	2	2	2	1		1	2	2	3	1	2
Louisiana		1	1	1		1	1	2	1					1	2
Maine				1											
Maryland	1			1	1										
Massachusetts									1	1					
Mississippi				3	2	3	3	4	3	3	2	1	1	2	2
Missouri			1			1	1		1	1		1	2	3	1

TEXAS HOUSE, 1876-1905

Legislature	1876	79	81	83	85	87	89	91	93	95	97	99	01	03	05
Place of Birth (cont.)															
Massachusetts					1										
Mexico									1				1		
Michigan		1								1					
Minnesota											1	1			
Mississippi	8	5	7	6	5	4	4	10	13	9	10	9	10	11	4
Missouri	3	4	2	1	8	2	9	2	6	4	4	4	7	7	2
New Hampshire	1													2	1
New York	1	1	1	1	2					2	1		1	1	1
North Carolina	10	4	3	1	5	2	4	1		3	2	5	3	1	1
Norway			1	1											
Ohio	1	1	2	1					1	3	1				2
Oregon											1	1			
Pennsylvania		1	2	1	1	2	1	1	1	1	2				
Scotland		1												1	
South Carolina	3	6	1	4	3	2	7	2	4	2	5	6	5	1	
Tennessee	14	16	12	19	20	13	16	13	18	18	22	12	12	11	16
Texas	7	13	12	16	14	20	15	22	40	37	34	46	57	61	61
Virginia	6	4	5	9	3	4	3	4		6	4	5	2	5	6
West Virginia		1			1								2	2	2

x—no information available

NOTES

¹This study is based on data compiled from: John Cardwell, *Fifteenth Legislature; Sketches of Legislators and State Officers, 1876-1878* (Austin: Democratic Statesman Steam Print, 1876); E. W. Swindells, *A Legislative Manual for the State of Texas* (Austin: E. W. Swindells, 1879); Will Lambert, *Pocket Directory of the Seventeenth Legislature of Texas* (Austin: Swindells Book & Job Office, 1881) and *Pocket Directory of the Eighteenth Legislature of Texas* (Austin: Deffenbaugh & Company, 1883); E. H. Loughery, *Personnel of the Texas State Government for 1885* (Austin: L. E. Daniell, 1885); L. E. Daniell, *Personnel of the Texas State Government* (Austin: City Printing Company, 1887), *Personnel of the Texas State Government* (Austin: Smith, Hicks, and Jones, 1889); and *Personnel of the Texas State Government* (San Antonio: Maverick Printing House, 1892); *Rules of Order of the House of Representatives* (4 vols.; Austin: Smith, Hicks, and Jones, 1889); Henry Hutchings, 1891; Ben C. Jones & Company, 1893-1895); *Rules of Order of the Senate* (Austin: Henry Hutchings, 1891); *Texas Legislative Manual* (Austin: Hutchings Printing Company, 1893; Ben C. Jones & Company, 1897; Von Boeckmann, Moore, Schutze, 1899; Von Boeckmann, Schutze & Company, 1901; Von Boeckmann-Jones Company, 1903; Gammel-Statesman Publishing Company, 1905); McArthur and Wickes, *The Twenty-seventh Legislature and State Administration of Texas, 1901* (Austin: Ben C. Jones & Company, 1901).

²Ralph A. Wooster, "Membership in Early Texas Legislatures, 1850-1860," *Southwestern Historical Quarterly*, LXIX (October, 1965), 173.

³J. E. Ericson, "Delegates to the Texas Constitutional Convention of 1875: A Reappraisal," *Southwestern Historical Quarterly*, LXVII (July, 1963), 22-27.

⁴These figures are based on United States census statistics as compiled in the *Texas Almanac, 1966-1967* (Dallas, 1965), 129-138.