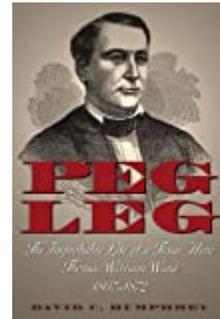




David C. Humphrey. *Peg Leg: The Improbable Life of a Texas Hero, Thomas William Ward, 1807-1872.* Denton: Texas State Historical Association, 2009. 326 pp. \$39.95 (cloth), ISBN 978-0-87611-237-3.



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A Tale of Partly Varnished Life

Peg Leg: The Improbable Life of a Texas Hero, Thomas William Ward, 1807-1872 is a fascinating, exhaustively researched, and highly readable biography of a previously little-known figure from the American “Old West,” who lived most of his adult life with significant impairments. Humphrey, an expert in Texas history, writes that he spent “the past decade” (p. ix) researching and writing this work. His efforts show in his work and have paid excellent dividends.

Ward’s life was indeed improbable. Humphrey treats it in a nuanced and colorful narrative, setting forth in early chapters Ward’s loss, first of a leg in the Texas War of Independence (1835-36), then of an arm due to the misfiring of a cannon at a ceremony marking the anniversary of the Texans’s victory. Humphrey later carefully considers the psychological impact of Ward’s injuries upon his highly eventful career in government service, his tempestuous marriage, and his inner feelings. Humphrey is careful not to read too much into Ward’s physical condition, and he is to be commended for writing a biography of a frontier personality who happened to be disabled

rather than setting up his subject as either an icon or a tragic and pitiful figure. Although Humphrey’s title labels Ward a “Texas hero,” this refers to his war record. On balance, the reader leaves Humphrey’s work convinced that Ward was neither wholly saint nor scoundrel.

Thomas William Ward was born in June 1807 in Dublin to a fine family that had suffered financial setbacks. Ward’s father was a builder who completed a substantial and difficult dormitory complex at Trinity College, Dublin, and the son designed the first Texas capitol building, in Houston, in 1837. Since the Ward family could not assure Thomas of a good economic future at home, the young man emigrated to America in 1828, first settling in New Orleans. In 1835, Ward moved to Texas to seek adventure, glory, and his fortune. His family had attempted to dissuade him from pursuing a military career, but Ward craved the excitement of the soldier’s life, and it was in that life that Ward established his reputation and sustained his injuries.

The first part of Humphrey’s biography, embracing

the period 1807-45, traces Ward's search for adventure and fortune and explains how he acquired his impairments. In New Orleans, Ward attended several meetings celebrating the heroic actions of Texans in resisting perceived Mexican domination; he joined an American volunteer company that traveled to Texas in the fall of 1835 to fight for independence. Ward, now very much an American, equated the Texas struggle for independence from Mexico with the American struggle for independence from Britain three-quarters of a century earlier.

Stephen Austin commanded the Texas army in the initial successful storming of San Antonio on December 5, 1835. Ward fought bravely in that battle, in which a cannon ball shattered his right leg. His comrades carried him from the field under heavy fire. With medicine in short supply and with many wounded, the attending doctor decided on the spot to amputate Ward's leg, requiring him to use a prosthesis and earning him the nickname "Peg Leg," although few used this name to his face. Ward closely followed advances in prosthetic technology, hoping continually to increase his mobility and reduce his pain. According to reports, perhaps apocryphal, published decades later, Ward's leg and the body of his unit commander, Ben Milam, were buried in the same grave, with full military honors. On March 2, 1840, at a celebration of the fourth anniversary of Texas independence, Ward had the honor of assisting in a twenty-one gun salute, but his cannon misfired, and Ward was again severely injured. This second injury required the immediate amputation of his right arm.

Ward's injuries did not impede his pursuit of an active government career, nor did they prevent him from marrying and having a family. In August 1840, six months after his second amputation, Ward won election as mayor of Austin for an unexpired term, but lost his bid for election to a full term in December of that year. He also briefly acted as chief clerk to the Texas House of Representatives, and for many years he practiced law and served as a notary.

Shortly after Ward lost his bid for reelection, acting Texas president Burnett, an old army friend, appointed Ward as commissioner of the General Land Office. This was a highly visible and controversial position. Land was one of the most significant stores of wealth in mid-nineteenth century-Texas. Adult white males residing in Texas at the date of independence, March 2, 1836, received "headright grants," while veterans of the war of independence received "donation grants." Some men, including Ward, received both types of grants. These

grants, represented by certificates, did not confer binding legal title until the owner obtained a valid survey of the correct number of acres and "patented" the claim with the General Land Office. A major task for Commissioner Ward and for his clerks was to determine the validity of a claim before his office issued a patent that showed that the claimant had good title that did not conflict with the rights of other property owners or claimants. This was far from an easy task. Certificate holders often sold their claims for ready cash, and speculators traded freely in such claims. There arose, therefore, a great number of claims that conflicted and many that were obviously or possibly fraudulent, often resulting in expensive litigation, and, in some cases, violence. Many patent documents were also found to be forgeries.

With his training and experience as an attorney, and an exacting, demanding and tenacious nature, Ward strove to streamline the procedures of the Land Office. Without accurate and complete county maps on which to plot the various claims submitted to his office for patenting, Ward and his clerks could not accurately determine whether claims conflicted or overlapped, or whether any particular claimant had a good title. By pressing the county surveyors to be more thorough and accurate, and for a time refusing to issue patents until his office had sufficient specially printed patent forms meant to discourage forgery, Ward was able to reduce, but not eliminate, these disputes and abuses.

The Land Office was central to the rivalry between the cities of Austin and Houston for the coveted title as capital of the republic. So long as the Archives—the land records themselves—remained in Austin, Houston could not displace it as the capital. This dispute expanded into armed conflict from the summer of 1842 to the spring of 1843. Ward sought to keep the Archives in Austin until and unless he received written instructions from the proper authorities to do otherwise. Although the "Archive War" fortunately resulted in no fatalities, Humphrey's description of it adds zest to his biography and shows how fragile were the notions of "law and order" in the Old West. Ward soon returned to the efficient performance of his duties, holding the title of commissioner of the General Land Office until 1848, some three years after the annexation of Texas by the United States. While many regarded him as a knowledgeable and efficient administrator, his clerks felt that he made unreasonable demands for perfection. Ward was clearly a driven and often difficult man.

As much as Ward attempted, and usually succeeded,

in bringing order to his professional life, his personal life was less ordered and was subject to a different sort of “war.” Indeed, Ward brought to his personal life the same combative temperament he displayed in government service. Ward’s future wife, Susan Bean, was born in rural New Hampshire in 1817 and married Thomas Marston in 1835. In 1838 the couple moved to Texas, where Marston died in 1843, leaving Susan in a city where she had few friends. She soon met Ward and immediately found him attractive, irrespective of his injuries. She also respected his intelligence and the force of his personality. Susan and Ward married in June 1844 and to some observers their union appeared to be a happy one. He had invested wisely in real estate and built for his family the finest home in Austin at the time, which the couple moved into in 1847.

Yet Susan quickly came to fear Ward’s sudden and violent temper. According to Susan’s divorce complaint filed in New York in 1859, he began to verbally abuse her shortly after they were married, continued this abuse for many years, and on at least one occasion physically assaulted her, threatening to shoot her. There was no specific proof of the alleged physical assault, but Susan wrote of it in several letters. Significantly, few at the time doubted that a man with one arm and one leg was capable of posing a physical threat. Indeed, Ward was regarded as an excellent shot all of his adult life.

On other occasions, however, Susan wrote to Ward during visits to her relatives in New York of her “all absorbing devotion” to her husband (p. 121). She left Austin for New York in 1854 and did not return to Texas for six years. When Susan did file for divorce in 1859, Ward used his legal knowledge and his political connections to delay the proceedings for many years; he hid many of his assets, failed to pay court-ordered alimony, and defied a restraining order that Susan obtained to prevent these maneuvers.

Ward continued to experience professional successes and failures. His often abrasive personality did not serve him well. Ward was charged with malfeasance in office, and while the charges apparently had some basis in fact, they were also relatively minor in nature. After spirited debate, the Texas legislature in 1848 stripped Ward of his office as commissioner. While Ward felt that he was the victim of a conspiracy, his detractors were glad to witness the fall of a man they considered a despot. In 1853, Ward’s fortunes changed for the better when he was appointed U.S. consul in Panama City, where he was responsible for various customs and commercial matters as well as for meeting the needs of American citizens. Once

again, Ward’s legal training and his passion for detail and organization helped in the discharge of these duties.

After returning to the United States in 1856, Ward re-joined his family in Tarrytown, New York, and he and Susan attempted to repair their fractured marriage. The reconciliation did not last, and, as noted, Susan filed for divorce in 1859 and the litigation dragged on for many years. During this later period of his life, Ward resumed his career in public service while continuing his legal battle with Susan. Ward died in 1872, while Susan passed away in 1874.

In a balanced and thoughtful eight-page concluding chapter titled “Retrospect,” Humphrey carefully evaluates what connection Ward’s temper may have had to his physical impairments. Humphrey argues convincingly that Ward rejected any notion that he was a curiosity. Most contemporaries regarded him as a competent and efficient public servant and he enjoyed the status that this reputation entailed. Yet his combative nature led many to give credence to Susan’s accusations of violence. Humphrey views Ward as something of a paradox: a man well versed in the law, with a great respect for legal tradition, who nonetheless used that knowledge to evade his legal obligations to his wife. Here then, was a disabled man who accomplished much, frequently ignored his disability, and asked for no quarter or special treatment. More to the point, Ward was a genuine and flawed human being. Perhaps the most important lesson of Humphrey’s excellent monograph is that a disabled person need not be a “super-crip” to live a meaningful and eventful life.

This reviewer’s single quarrel with this excellent book rests with the typeface and composition of the pages. In many places, the text is set so that there is often very little space between a period and the beginning of the next sentence. In other instances, the superscript denoting an endnote is difficult to discern because it appears nearly on top of a closing parenthesis or quotation mark. In a review for any other audience, this might be of little concern, but as persons with visual impairments or limited vision who are interested in the subject matter may wish to read this fine work, they should be aware that they may experience, at least initially, more difficulty than usual with the printed page. This reviewer is sighted but wears strong glasses, and it took him a few chapters to become accustomed to the unusual presentation of Humphrey’s text. Responsibility for this issue, of course, may not lie with the author, but with the publisher.

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