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Kenneth C. Barnes. *Who Killed John Clayton? Political Violence and the Emergence of the New South, 1861-1893.* and London: Duke University Press, 1998. xii + 202 pp. $21.95 (paper), ISBN 978-0-8223-2072-2; $74.95 (cloth), ISBN 978-0-8223-2058-6.

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Violence and Law in the Shaping of Southern Politics

New South Democrats didn't usually assassinate opposing congressional candidates, especially white ones. Such outmoded, Reconstruction-era tactics were generally unnecessary. By controlling the polls, the respectable upper class could simply count out the parties of the lesser orders. Then, through poll taxes, gerrymandering, switching to at-large elections, and similar schemes, Democrats could reduce opposition votes directly or at least cut down the number of officials that the Republicans, independents, Greenbackers, or Populists would be able to elect. Only when the immediate threat to its hold on power was especially grave or when it decided to quash such challenges once and for all did the Democratic party, often through its Klan or Red Shirt front groups, resort to widespread, systematic violence.

Arkansas in the late 1880s nicely illustrates the sequential acts of the large-D Democracy that typically crushed small-d democracy. Although recently, southern historians seem to have forgotten that most of the region's organized violence has been a continuation of politics by other means, this fascinating little volume, one of a growing number of fine historical studies of a once-neglected state, reminds us again of the lengths to which the honorable men of the turn of the last century South were willing to (and had to) go to suppress dissent and establish the one-party, hyper-segregated South.

John Middleton Clayton, Pennsylvania-born younger brother of Arkansas' Reconstruction governor and long-time Republican political boss Powell Clayton, was the candidate of the Republican party and the proto-Populist Agricultural Wheel in the Second Congressional District in Arkansas in 1888. Despite the presence of a federal election supervisor, Clayton's opponents, led by local businessmen and law enforcement officials, forcibly intimidated black voters, stole ballot boxes, and counted him out. The crucial theft in an election officially decided by less than a thousand votes took place in Plumerville, Conway county.

Clayton officially contested the election and hired the Pinkerton Detective Agency to investigate. When the brother of Deputy Sheriff Oliver Bentley threatened to talk to the Pinkertons, the Deputy shot and killed him, inventing a transparent story about an accidental discharge of a gun, which, according to a later report, went off five times. The death was ruled an accident. Two weeks later, unknown parties shot through a window at the federal elections supervisor, but only succeeded in tearing off part of his ear and grazing his neck. Despite warnings from Republicans and threats from Democrats, John Clayton went to Plumerville to gather evidence. There, on the evening of January 29, 1889, when he was seated at a table just about to start a letter to his children, someone fired a shotgun through a window in the rooming house where John Clayton was staying. The blast blew his head almost off and scattered his brains about the room. Conway county became momentarily famous.

In fact, as Kenneth Barnes shows in wonderful detail, the county's socioeconomic structure was more complex than that in the typical southern county, and it and counties somewhat like it deserve more attention from historians than they have gotten. Barely settled before 1850, the county on the eve of the Civil War was starkly divided into a rich plain along the Arkansas River, dominated by slaves and cotton, in the south, and Ozark mountain foothills, with few slaves and almost no cotton, in the north. Secession split the county into bottom land rebels and hillbilly unionists, with an appreciable number of the unionists joining the Yankee army. From 1863 on, the county dissolved into ugly, personal, ideological, and long-remembered guerrilla warfare, quieted only by the much-resented occupation of rebel areas by the Union Army. "The Civil War," Barnes notes, "taught citizens to use brute force," lessons they applied often during the rest of the century (p. 21).

Reconstruction differed from the experience in many other areas because only eight percent of Conway county's residents were black and because Republicans, black and white, violently and rather successfully resisted the Klan, which Barnes terms "the paramilitary wing of the Democratic party" (p. 27). After a cycle of racial murders on both sides, Gov. Powell Clayton declared martial law in the county in 1868, and four companies of Republican militia, one black and three white, patrolled Lewisburg, the Democratic stronghold, until Klan leaders sued for peace. When Republicans split into carpetbag and scalawag factions in 1872, Democrats won the county elections and no doubt expected to rule the county indefinitely. But the coming of the Little Rock-Fort Smith Railroad Company, also in 1872, derailed their plans. New towns sprang up, cotton acreage exploded, and German Catholics fleeing Chancellor Otto von Bismarck's *Kulturkampf* and South Carolina African-Americans, many fleeing Democratic violence and suppression, moved in. By 1880, the county was twenty-five percent black, and by 1890, forty percent. Blatant embezzlements by a series of Democratic officeholders, small farmer economic discontent (which gave rise in Arkansas to the Brothers of Freedom and the Agricultural Wheel in the early 1880s), and the growing black and immigrant electorate combined to overturn Democratic control of Conway county in the 1884 election. It was the most genuinely democratic era in the county's history up to the 1960s. And of course the Democrats could not abide that.

So in 1885, they unpacked their hoods and began to terrorize blacks once again, concentrating particularly on tenants on the farm of the newly-elected white Republican sheriff, as if to prove to African-Americans that their white allies could not protect them. Witnesses to the violence were ordered to leave the county, and the grand jury could not or would not indict anyone for the murder of a black man for the sin of having a white wife. Democrats also rather amateurishly stuffed the Plumerville ballot box in 1886, apparently failing to realize how many votes they needed to carry the county and therefore putting in too few. Such relatively mild doses of violence and fraud did not prevent a sweep of county offices by the Republican ticket, which included an African-American, Rev. G.E. Trower, as the county's sole delegate to the Arkansas House of Representatives. After the election, the Agricultural Wheel picked up speed in the county, beginning a county newspaper in 1887. In the state as a whole, the Wheel claimed 75,000 members, and it fused with the Republicans on a state ticket in 1888, uniting behind the candidacy of a one-legged Confederate veteran, Charles M. Norwood, who was difficult to accuse of sectional treason. Democratic leaders were forced to recalculate the amounts of fraud and murder necessary to restore the rule of their class, party, and race.

In the weeks before the September, 1888 state election, Democrats in the county seat of Morrilton formed a militia, led by a banker and armed by the Democratic governor, which paraded in the town's streets nearly every day in an obvious attempt to intimidate the party's opponents. On election day, they refused to let duly-appointed Republican election judges observe the balloting, and they severely beat the editor of the local Republican newspaper when he tried to distribute his party's ballots outside the polling place. Democrats carried the township by six to one. In two-thirds black Plumerville, which Republicans had won by five hundred votes in 1886, Democrats expelled the Republican judges and then counted in a Democratic majority. Immediately before the national election in November, Democrats mobbed and wounded a state Republican leader who had the temerity to enter Conway county, and the newly-elected Democratic sheriff deputized a dozen of his partisans, among them at least one experienced ballot-box stuffer, to ensure what he referred to as a "fair election and an honest count" (p. 67). In Plumerville, Democrats led by a local lawyer, a businessman, and a newspaper editor removed the Republican judges, issuing threats on their lives, and later five prominent Morrilton businessmen arrived to steal the ballot box, enabling Democratic congressional candidate Clifton R. Breckinridge to beat John M. Clayton by two-tenths of a percent of the district's vote. Conway county's was perhaps the most egregious fraud in a coordinated statewide strategy of Democratic chicanery that led John Clayton and the Republican/Wheel candidate for congress in the first district, Lewis Featherston, to contest the election and the federal court in Little Rock to indict several of the conspirators. With a closely divided national House and the first national Republican administration to control the presidency and both houses of congress since 1874 in power, Democratic election thieves began to think they had something to fear.

While John Clayton was taking testimony in Plumerville, Deputy Sheriff Oliver Bentley, who had apparently masterminded the recent ballot box fraud, and other Conway county Democrats offered to testify to a five hundred-vote majority for Clayton in Plumerville, which would have given him the election, if Republicans would withdraw the federal indictment and the $1000 reward that they had offered for evidence of ballot box stuffing. The deal collapsed when Republicans, perhaps

seeking a vote cushion for the complicated challenges in Congress, refused to rescind the reward. Clayton was murdered the next night, probably either by Oliver Bentley or Bob Pate, a local saloon owner of prosperous Conway county forebears, who was one of Bentley's accomplices in the frauds. In what must have passed as a rich joke at Pate's seedy bar, Bentley headed the investigation of Clayton's murder and Pate and his barkeeper served on the coroner's jury, which concluded that Clayton had been murdered "at the hands of unknown persons." With equal gravity, Arkansas Democratic U.S. Senator James K. Jones speculated in the *North American Review* that Clayton had been killed by "some poor wretch moved by considerations wholly personal to himself" (p. 81). Clayton's boarding house landlady presented his grieving family with a bill for damages. His blood had stained her rug.

Democrats frightened off white men who threatened to expose the perpetrators of the fraud or Clayton's murder: Warren Taylor, a Democrat who fled the state after testifying to having participated in stealing the Plumerville ballot box; Harry Coblentz, the former Republican county sheriff, who argued with Oliver Bentley; Judge George Cunningham, an honest Democrat who urged a grand jury to issue indictments for Clayton's murder; and Albert Wood, a Pinkerton detective hired by Powell Clayton. Blacks they killed–Joseph W. Smith, whom Wood had hired, shortly after Smith had sent Wood a letter claiming to have found a crucial witness. In a fitting gesture, the grand jury not only refused to indict Smith's admitted killer, but charged the black constable who had arrested the murderer with "breach of the peace." Democrats also spun a series of wildly improbable tales about possible Clayton assassins. In 1890, the Conway county sheriff, the Democratic congressman, and the state's governor alleged that a former denizen of the county, who had conveniently died in California the previous year, had earlier traveled to Arkansas meaning to kill Powell Clayton in revenge for some twenty-year-old quarrel and had mistaken his younger brother for Powell. Unfortunately for the credibility of the confidence man who testified to the story, the alleged triggerman had been sick in bed in California in January, 1889. The sheriff also received mysterious letters signed "Jack the Ripper" (a sensation in London at the time) sent from out of state, vaguely confessing to the crime. Three years later, in 1893, a new sheriff, who had also participated in the 1888 fraud, traveled to Montana to arrest and bring back for trial a petty criminal who had actually been in jail in Oregon when Clayton was murdered. The trial took place solemnly before Justice of the Peace Oliver Bentley. In fact, the identity of Clayton's killer was widely known, a prominent Wheeler, W. Scott Morgan, printing a barely fictionalized account in 1904 that named the murderer of "John M. Claiborne" as "Bentley Murdoch" (p. 123).

Even though Barnes spins his story around the exciting events of 1888-89 and concludes that African-Americans in Conway county were "utterly defeated by the fraud and violence" (p. 95), other evidence that he produces and other judgments that he announces make clear that mayhem and ballot stealing were unsteady steps on the road to disfranchisement, less important and less final than those that succeeded them. In the November, 1890 election, for instance, an armed black and white Republican militia showed up at the Plumerville polls and successfully ensured an honest count. The Republican candidate for congress, Isom P. Langley, carried Conway county. It was only after the 1891 state legislature, led in the state senate by William S. Hanna, beneficiary of the Conway county frauds of 1888, passed secret ballot, poll tax, and Jim Crow public accommodations laws that the state was safely solidified and segregated. The election law facilitated fraud as well, giving state officers (all Democrats) the right to indirectly appoint election judges without even a token guarantee of representation for opposition parties. In Plumerville in September, 1892, the Democratic candidate for state representative beat the Republican five hundred votes to eight. In November, Republicans, who had polled over six hundred votes for their congressional candidates in 1886 and 1888, managed but fifty-one votes. Affirming the findings of previous studies, Barnes notes that the Populists were aborted by Arkansas' election laws, and even those oppositionists, mostly white, who retained the right to vote were often too dispirited to do so. By 1894, the height of the Populist movement nationally, Conway county Populists did not even bother to field a local ticket.

At the beginning of his insightful book, Barnes asks "just how could these pillars of the community do such horrible things?" (p. xii). At the end, he answers: "political violence and electoral fraud worked" (p. 132). And it worked not only for their race, class, and party, but for them personally. They became sheriffs, state senators, assistants to the governor, congressmen. They did well by doing evil. As for their opponents, the small farmer whites, often Union veterans, in the hills, and especially the African-Americans on the plain, they lost. (Barnes avoids the recent tendency among historians to romanticize the amount of "agency" of the powerless.) Republican leaders were often driven from the county. Blacks, who had previously enjoyed political power, who had

been able and willing, with their white allies' help, to defend themselves with arms and ballots, "lost the most," in Barnes's words (p. 127). Newspapers had previously treated them with some respect. After 1891, they were just "coons" or "niggers." Segregation of living arrangements and social relationships increased. For example, bars and barber shops became strictly segregated, apparently for the first time. Black politicians had been feared, but at least dealt with. After the secret ballot went into effect, they were merely ridiculed. Some tried to emigrate to Liberia, mostly without success, while others went to Oklahoma, with what success Barnes does not tell us.

In a larger sense, nothing in this vivid and gripping local study should surprise us. It is true that the level of political violence, especially against prominent whites, in Conway county was higher than usual for the 1880s. But the sequence of violence, fraud, statutory electoral restriction, and constitutional disfranchisement was similar throughout the South, the parallel of force, fraud, the secret ballot, and the poll tax in the period from 1888 through 1892 in neighboring Tennessee being particularly close to the pattern of events in Arkansas. Transfixed by violence, Barnes's book ultimately underlines once again the power of laws to shape society.

This review was commissioned for H-Pol by Lex Renda <renlex@uwm.edu>

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