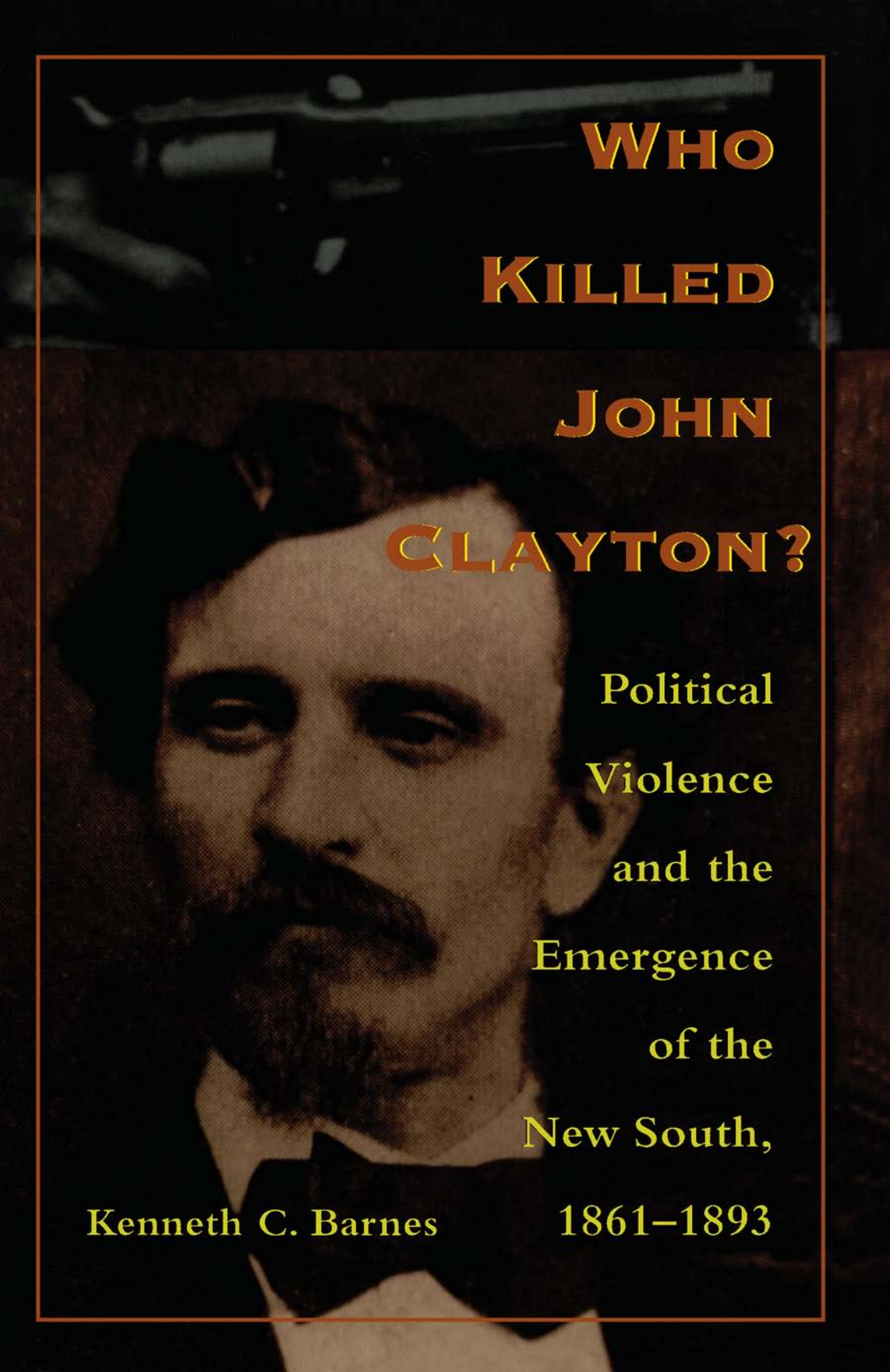

Who Killed John Clayton?

Political Violence and the Emergence of the New South, 1861–1893

Kenneth C. Barnes

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To my parents,

Curtis and Maxine Barnes

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PREFACE

This project began when through some distant family connections, I received an audiotape of an interview of John Mason just a few years before his death in the early 1980s. Mason grew up in Conway County, Arkansas, in the early twentieth century, became a high school history teacher and principal, and throughout his life listened avidly to stories of the old days. Mason understood the significance of these stories, committed them to memory, and became a virtual griot, preserving an oral heritage of his rural community of origin. Mrs. Polly Church conducted the interview for the purposes of family history, but throughout the interview, Mason digressed into numerous asides and anecdotes. In one he told the story of the murder of John M. Clayton, a Republican congressional candidate, from the point of view of the men who committed the murder. Mason even identified the killers by name.

I grew up in Conway County in the 1960s, a time when the county had the reputation within Arkansas as the epitome of the southern Democratic machine at work. After college I left this Faulknerian atmosphere to pursue graduate study in modern European history, then a job teaching at a small college in the Chicago area. Fifteen years later, I took a position at the University of Central Arkansas in Conway, Arkansas, just down the road from Conway County. My life had come back around the circle. Getting back in touch with my extended family eventually brought me into possession of the Mason tape. I had only a passing acquaintance with the history of my own state, and the textbooks on Arkansas history said that Clayton's murderers had never been found. What began as a curiosity became a quest to solve a century-old murder mystery and then evolved into this monograph.

In some ways, this study has been an attempt to understand my own roots, the space on earth that formed me. The extraordinary sequence of political violence I found in the late nineteenth century helped me understand how sixty years later, I could grow up in a county where almost all African Americans could not vote and where authorities still used fraud and terror, when necessary, to neutralize their opposition, all in the name of tradition and civic righteousness.

The study of my own roots led me to confront the salient themes of southern history. Larger than local questions kept surfacing. How does a community create the account of its history? By examining Arkansas

histories and collecting oral testimonies of Conway County residents, I discovered that the telling of history by white, educated, respectable citizens did not match the documentary evidence I was accumulating. How does the historian use and interpret this evidence? *Evidence* as a word always looks more impressive than the mixed bag of data that historians usually have at their disposal. In this case, I as author had to choose between competing versions of the truth. The cases of murder and electoral fraud described in this study were tried in federal court in 1889 and the next year were heard by the Committee on Elections of the U.S. House of Representatives. As in any trial, participants presented different accounts of the same events. In the 1800s, white judges found it difficult to take the word of uneducated black farmers over that of prosperous and prominent white community leaders. Sorting out contradictory testimony and competing versions of events involves judgments, and occasionally informed speculation, about things that are ultimately uncertain. In the 1990s, it is much easier to cast blame on dead white male elites. The problem is, of course, that the writing of history nowadays may be shaped by the forces of what is politically correct just as early white Democratic versions whitewashed, justified, or ignored white crimes.

Acknowledgments

My greatest debts for this study belong to my oral sources. The storytellers of Conway County first led me to this narrative. I especially wish to thank Polly Church, Ruth Cupit, Earl Bentley, Jane Emde, Clarkia Turney, Robert Cruce, Alpha English, Blanche McCray, Mrs. Grant Reddig, and Poindexter Fiser, who shared information about their ancestors for my story, which in some cases does not flatter them.

Librarians at the University of Central Arkansas, the University of Southern Mississippi, and the Arkansas History Commission provided much assistance in finding and using relevant materials. Special thanks go to Sandy Breeding and Karolyn Thompson of the interlibrary loan departments at UCA and USM. Meg Hacker of the National Archives Regional Center in Fort Worth helped me get the federal court case files concerning fraudulent Conway County elections. Rod Ross of the legislative office of the National Archives in Washington, D.C., after much hunting, located the four volumes of manuscript testimony concerning the Clayton murder and Conway County elections, which forms the basis of much of this study.

I greatly benefited from the critical readings of all or parts of this work by my colleagues at the University of Central Arkansas, Waddy Moore, Cathy Urwin, David Petersen, and, as always, my wife, Debbie Barnes. Besides reading the manuscript, Tom Dillard gave me numerous leads on sources from his vast knowledge of Arkansas history. An early draft of a section of this work was published in the *Arkansas Historical Quarterly*, and I thank particularly editor Jeannie Whayne for her interest and advice. I especially thank Charles C. Bolton, Mark Schantz, and Duke University Press's insightful reviewers, who read later versions of the manuscript and provided valuable comments and criticism. My friend Ralph Gallucci encouraged me to write this book even though it seemed to be an unconventional career turn. Thanks also to Valerie Millholland of Duke University Press for her support. Graduate assistants Edman Wilkes, Mick Cabe, and Sharon Allen helped with many tasks ranging from counting census entries to bibliographic work. A special thanks goes to Donna Johnson for her assistance in so many ways.

This study, like much of the writing of southern history, stands under the looming shadow of C. Vann Woodward, who spent his ado-

lescence in Conway County. His later views would be so apt in explaining the environment of his youth. Beyond the works of Woodward, I owe a great debt to several other magisterial books, most notably Eric Foner's *Reconstruction: America's Unfinished Revolution* and Edward Ayers's *The Promise of the New South*. In my study of Conway County's thirty-year political struggle, I, like Woodward and Foner, tend to favor the powerless who take on the powerful. But Ayers forcefully cautions against the portrayal of southerners as stick figures, as simplistic cartoon characters in white or black hats. Ayers inspires an ironic sympathy with the leaders of the community, the educated, prosperous townsmen who led the Democratic party. After all, as a small-town university professor, my life is more like theirs than it is like that of rural sharecroppers. Hence comes a mystery more fascinating and elusive than Clayton's unsolved murder: just how could these pillars of the community do such horrible things?

I dedicate this book to my parents, Curtis and Maxine Barnes, who spent a lifetime in Conway County, and who in their own way and time struggled there against corruption and injustice.

INTRODUCTION

In late January 1889, in the small town of Plumerville, Arkansas, a group of leading citizens gathered around the potbellied stove in Malone's general store to plan a cold-blooded murder. They drew straws, resolving that the man who received the short straw would kill John Middleton Clayton, a Republican leader who had come to Arkansas during Reconstruction days. In the preceding fall, Clayton had narrowly lost his race for the U.S. Congress after a band of masked white Democrats stole at gunpoint the Plumerville ballot box, which contained the majority of the county's black Republican votes. When Clayton arrived to investigate the stolen election, local Democrats feared they would end up in a federal penitentiary and thus took desperate measures. On a cold winter night shortly thereafter, the man who had drawn the short straw and a partner stood for some time on the muddy soil outside the window of Clayton's room in a Plumerville boardinghouse, waiting for the perfect moment to strike. Finally, as Clayton sat down at a table next to the window to pen a letter to his children, a blast of buckshot burst through the window, ripping the curtain into shreds, killing him instantly. By the next morning, the footprints made by the killers' rubber overboots—one pair old, one new—had frozen solid in the muck.

The murder of a congressional candidate brought headlines in national newspapers for Conway County, Arkansas. Newspaper reporters, Pinkerton detectives, and state and federal officials investigated the vile crime. But because the most prominent and socially respectable citizens of the county provided alibis for one another, no assassin was ever found. Arkansas history books henceforth treated Clayton's killing, one of the most famous political murders in the state's history, as an unsolved mystery.

Detectives failed to solve the murder of John Clayton. Only careful historical analysis can explain who killed him and why. For this community, the sensational murder was just the climax of a cycle of local political violence that had begun in the Civil War. But an examination of Conway County's experience sheds light on more than just a murder; it also reveals how the use of illegal political violence was central to the fashioning and streamlining of patterns historians call the New South: the single-party system, black disfranchisement, and segregation by

law. Clayton's murder crystallizes in one dramatic moment what happened throughout the South with the creation of Jim Crow law.

Political violence means the illegal use of force to keep or increase one's power. Throughout American history, the transfer of political and economic power to powerless outsiders has involved political violence. Richard Hofstadter said: "What is most exceptional about the Americans is not the voluminous record of their violence, but their extraordinary ability, in the face of that record, to persuade themselves that they are among the best-behaved and best-regulated of peoples." Contemporaries and historians have described the nineteenth-century South as a violent place, even in the best of times. The Civil War, however, made killing into a culture. After the war, weapons were everywhere; the survivors of the war had the experience and disposition to use force to protect themselves or to get their way.[1] The story of Conway County demonstrates how especially the most prominent members of the community employed political violence between 1861 and 1893. Various groups of both the privileged and the poor saw local government as the means to advance their own interests, and some were willing to use the most flagrant acts of violence to get, maintain, or extend their power.

From the beginning of the Civil War to the establishment of Jim Crow laws in the early 1890s, Conway County was in a state of turmoil and transition. In 1861 secessionist cotton planters and their hangers-on along the bottomlands of the county clashed with subsistence farmers in the northern hills who remained loyal to the Union. This rivalry blossomed into a vicious guerrilla conflict during the last two years of the Civil War. Congressional Reconstruction, which followed, became a battle between the victorious small farmers and the defeated local aristocrats and their allies, who first organized as the Ku Klux Klan and then became the revived Democratic Party. The white Unionists, joined by freedmen under the banner of the Republican Party and supported by federal laws and guns, possessed the upper hand until the end of Reconstruction. But conservative white Democrats regained power and exacted their retribution.

In the two decades that followed, Conway County, like the South in general, saw the rise of towns and a commercial economy with the arrival of the railroad and the expansion of cotton production. The planters moved to town and built big white houses, and their sons became merchants, lawyers, bankers, and physicians. But as cotton

prices declined and debt and tenancy mushroomed in the 1880s, the commercial-professional-planter elite faced a larger and angrier class of the rural poor. Debt-ridden white farmers swelled the ranks of Arkansas's homegrown agrarian populist movement called the Agricultural Wheel, which ran candidates in the local elections after 1884. Moreover, a significant black migration challenged white control as the African American portion of the county's population grew from nearly 8 to 40 percent between 1870 and 1890. African Americans overwhelmingly voted Republican, allying with a white Republican holdout of Union veterans and loyalists. With the fractured white vote, Republicans swept the elections of 1884 and 1886. In this quintessentially southern county, the local GOP won through the democratic process, and the elected officials, including some black Republicans, took their offices.

By 1888, after four years of Republican rule, white Democrats in Conway County were determined to regain control of local government. In the five years that followed, Democrats used electoral fraud, intimidation of black voters, the outright theft of ballots, and even political murders to destroy their opposition of poor white farmers and black and white Republicans. Although violence against white Republicans, such as the Clayton assassination, made the newspapers, the worst violence was always reserved for the most vulnerable link in the coalition, African Americans.

Besides the political murders and lynching of blacks, the most lasting blows came through the actions of the state legislature elected in 1890. The fraudulent elections in Conway County and elsewhere in Arkansas sent legislators to Little Rock determined to rescue the state from this Republican and agrarian populist alliance of the poor. The General Assembly, in its 1891 session, wrote legislation instituting a secret ballot and poll tax. The secret ballot virtually disfranchised illiterate voters, and the poll tax further removed the poor from the voting rolls. By 1893 the Democratic Party in Conway County had won a total victory. The party was in the grasp of white townsfolk, and African American and poor white farmers had been put firmly in their place. After 1893 Democrats so thoroughly controlled the county that only occasional acts of terror were necessary to remind other groups of the Democrats' total power. With this white Democratic ruling class controlling county offices, the courts, and the newspapers, and even writing the history books thereafter, it should be no surprise that the

Clayton murder of 1889 remained such an inexplicable "mystery." However, this murder and the voluminous documentation it generated give us a window through which we can see how the use of violence reconstructed this small part of the South from a region of democracy and relative opportunity for blacks and poor whites into a land of Jim Crow.

Some of the men who engineered the Democratic victory were still running county government three decades later, in the early 1920s, when C. Vann Woodward passed through adolescence in Morrilton, the county seat of Conway County. Woodward remembers one Sunday morning at Morrilton's First Methodist Church when members of the Ku Klux Klan, dressed in full regalia, burst into the service, gave a donation of money to the minister, and then quietly left the sanctuary. The young Woodward noticed that neither the minister nor the congregation appeared ungrateful for the gift or displeased with its source. In 1924, after Woodward graduated from high school, he left Morrilton for college, and in 1928 he departed Arkansas for good.[2]

Years later, in *Origins of the New South* (1951) and *The Strange Career of Jim Crow* (1955), Woodward described a New South that arose from the devastation of the Civil War as a very different world from the Old South that had preceded it. In the place of antebellum planter elites, a new class of white middle-class townsmen pushed through economic and political changes that, by the end of the century, had impoverished white yeoman farmers and stripped away the rights African Americans had won in the Civil War. The leaders of Woodward's New South mirrored the men who ran Conway County when he grew up there. A flurry of historical studies on the late-nineteenth-century South have followed Woodward's work, most either extending or rejecting his powerful arguments, but all in some way reacting to them. If the literature has resonated with any common theme, it most surely is the difficulty in making large generalizations about a region so intensely local as the nineteenth-century South. Only careful local studies will fill the broader shapes sketched by Woodward, his proponents, and his critics.

This account of political violence in an Arkansas county addresses a void in this literature. Perhaps because of the state's location on the northern and western edge of the South, Arkansas has received little attention from southern historians. Several fine local studies have tested Woodward's views on the relationship between the agrarian populist movement and the origins of Jim Crow; however, these works

have primarily examined the states of the Deep South.[3] Between 1870 and 1890, Arkansas's black population grew faster (both in aggregate numbers and proportionally) than that of any other southern state. In addition, the state's native agrarian populist movement, the Agricultural Wheel, was arguably the most widespread, radical, and politically mobilized of any in the South. Yet Arkansas in the last quarter of the nineteenth century remains virtually an unmined field for historians.[4] Conway County's story serves as a small luminary within a dark area of southern history.

This examination of one southern community aims to chart the relationship between political violence and the creation of the structures of New South politics. Some seminal works have explained how southern state governments in the 1880s and 1890s designed and implemented the discriminatory legislation of Jim Crow. On the other hand, studies of political violence during this time have largely focused on the outbreak of lynchings throughout the South.[5] However, these subjects have remained virtually separate literatures. Solving the Clayton murder will show how Democratic elites used violence to end any aspirations to power by poor white and black farmers, and indeed how legislators got to the state capitol to write the laws that made Jim Crow and the solid South.

1. Local Divisions and Lasting Grudges

Civil War and Reconstruction

Not long after John Clayton's assassination, the sheriff of Conway County received a letter purporting to be from Clayton's murderer. Signed "Jack the Ripper," the letter suggested that John Clayton had been killed to atone for crimes committed in the county twenty years before by his brother, Powell Clayton, the Republican governor of Arkansas during Reconstruction. Former rebels had regarded Governor Clayton as the worst sort of carpetbagger. They never forgave him for declaring martial law in Conway County and for arming and organizing freedmen into a black militia to keep order during Reconstruction's most tumultuous days. When John Clayton was murdered in 1889, local folks in Conway County, like the writer of the Jack the Ripper letter, suggested that the crime culminated a cycle of violence that had begun in the 1860s. Four years of warfare indeed had ruptured community and life in the county. Distinctions regarding where and how people lived and worked suddenly became matters to fight about. The war ended in 1865; the fighting did not. Thus to solve the murder of John Clayton, one must go back thirty years to understand the setting and background of Conway County.

As virtually a microcosm of the state of Arkansas, Conway County was divided by Mother Nature into distinctly different landscapes. And in nineteenth-century Arkansas, like the South in general, geographic divisions meant political divisions. One of the oldest counties in the state, Conway County was settled from each end, north and south. On the county's southern border, the shallow and shifting Arkansas River served as the highway for early Arkansans. In the three decades before the Civil War, settlers arrived by boat to exploit the rich bottomlands alongside the river. However, in the northern two-thirds of the county, rolling hills formed the prelude to the most rugged area of the Ozarks, the Boston Mountains, just to the north. In the 1840s and 1850s, many of the ridge runners, settlers who came to the mountains in search of healthy air, filtered south to settle the northern hills of Conway County. Here, like elsewhere in the Ozarks, subsistence farmers scraped together a meager living on small plots of hilly land.

In the early 1850s, the area constituted the true frontier of the

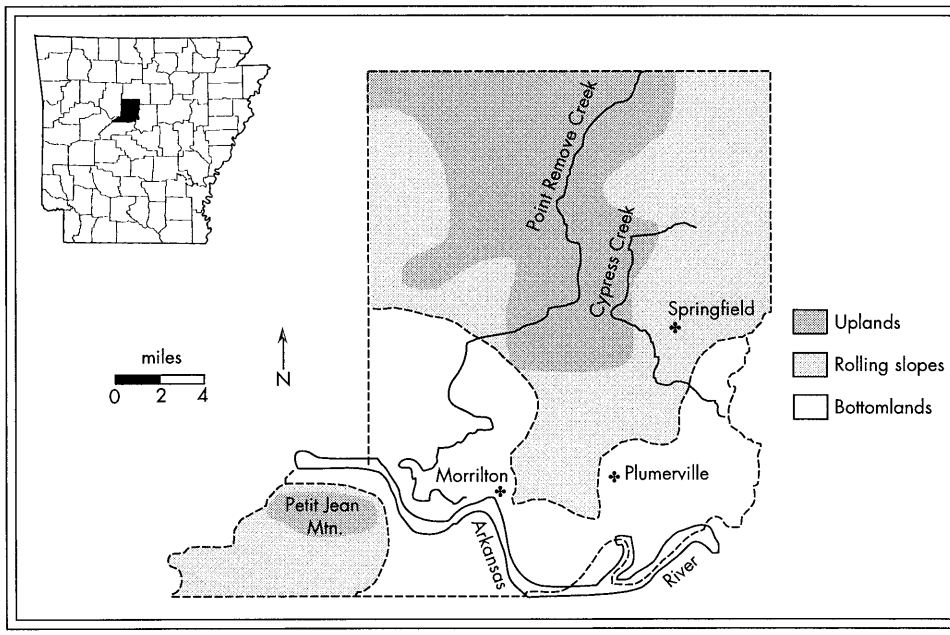

Figure 1. The landscape of Conway County. *(Courtesy of Brooks Green/Kelly Nichols.)*

South. But with rapid migration and the arrival of the cotton economy in Arkansas, the county entered the mainstream of southern life and culture. The county's white population almost doubled, growing from 3,339 in 1850 to 5,895 in 1860, and the number of slaves grew twice as fast as that of white residents. But perhaps more telling, the production of cotton grew almost sixfold, from 516 450-pound bales in 1850 to 3,170 in 1860.[1] In the early 1850s, Conway County cotton sold for more than forty dollars a bale, providing ample incentive for new settlers to stake out farms in the rich bottomlands.[2] By the mid-1850s, land in the bottoms was selling for twenty dollars per acre, and settlers with their slaves were pouring in.[3] King Cotton and black slavery had clearly arrived.

The impact of the cotton economy, however, was not evenly distributed through the county. Wellborn and Cadron, the two townships that lay beside the Arkansas River, produced 82 percent of the county's cotton in 1860, whereas the remaining eight townships together accounted for only 18 percent. Similarly, almost all of the slaves in Conway County (707 of 762) were in these two townships. In Wellborn township, where the river valley fans out into a wide alluvial plain,

several families farmed plantations larger than one thousand acres. One planter, George W. Carroll, alone possessed 125 slaves. By 1860 Wellborn township contained slightly more than one-quarter of the county's improved farmland but produced nearly three-quarters of the cotton (2,339 bales).[4]

In contrast, Lick Mountain township, in the extreme northern part of the county, contained only five slaves and produced just twenty-five and one-half bales of cotton in the reported year. On their small plots of land, the hill farmers primarily grew corn to become the corn pone, hominy, and cornmeal mush that graced their tables, and to feed their livestock, which provided some animal protein. The average wealth per head of household in Lick Mountain was only one-fifth of that in Wellborn. The settlers hailed from small farms of the hilly upper-south states; 60 percent came from Tennessee alone. Although Tennessee provided the largest number of settlers to Wellborn township (19.8 percent), settlers there came from a wider arc of states stretching from Virginia to the south and west.[5]

Anchoring these widely varying landscapes were the county's only two incorporated towns in 1860. Lewisburg, on the Arkansas River near present-day Morrilton, had the reputation in the 1840s as a hard-drinking and violent frontier outpost that served as a stopping point for steamers passing between Little Rock and Fort Smith, on the edge of Indian Territory. Lewisburg became a market town and port for the cotton trade as it grew in the 1850s. On the eve of the Civil War, Lewisburg had seven stores (one constructed of brick, a first for the county), two hotels, a school, regular mail delivery, a temperance society, and a thin veneer of civilization. Near the geographic center of the county, the county seat, Springfield, served as the trading post for farmers in the northern hills. In 1860 it was little more than a clearing in the forest, with one combination store and hotel and a two-story frame courthouse.[6] Rustic Springfield and bustling Lewisburg symbolized the different characters of Conway County.

On a casual thirty-minute drive today, one can pass from the mountainous Ozark National Forest in the northwest corner of the county to the fields of row crops alongside the Arkansas River, now mostly soybeans instead of cotton. Many residents make this trip daily to work in the factories in Morrilton. But by the beginning of the Civil War, this upland and lowland division in the county, as in Arkansas and the South in general, had produced two cultures that had little in common: the