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"Blood Must Flow:" The Arkansas Militia Wars of 1868-1869

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**“Blood Must Flow”:
The Arkansas Militia Wars of 1868-1869**

HIST 3867: Emergence of Modern U.S.

December 1, 2021

Section A: Introduction and Historiography

Introduction

On a Searcy summer night in 1868, Confederate veteran Albert H. Parker went out to get a bucket of water from a local spring. Parker had not been living in Searcy for long and was still relatively new in town. Those who knew him had been told that Parker was there to buy horses and cattle. This, however, was a lie, and the men who met Parker at the well that night had just learned the truth.

When Parker arrived at the water spring, five men drew their pistols and informed Parker that he was under arrest. Parker soon discovered, however, that these men were not in fact officers of the law and had no intention of delivering him to the local authorities. He likely realized this as soon as he was gagged and dragged to another well located on an abandoned farm almost a mile away. Parker would learn in whose custody he was really in when the men assumed their infamous Ku Klux disguises.

The Ku Klux Klan's interest in Parker originated with a local inquiry into Parker's mysterious behavior. After residing in Searcy for some time without purchasing any cattle, Searcy residents grew suspicious. The Klan began to investigate Parker—watching his movements, asking around, and even screening his outgoing mail. This was no difficult task, as the local postmaster himself was a Klan member. In reading Parker's mail, the Klan found the answer to their questions about Parker. For these emboldened vigilantes, it was no longer time for investigation, but time for action.

For what the Klan found was that Parker was in fact no cattle rancher, but a spy sent by Governor Powell Clayton with the task of infiltrating the Searcy Ku Klux Klan den. Parker had succeeded in compiling a list of names of the members of the local den and was preparing to

return to Little Rock shortly and report his findings to Clayton. Not only would Parker never make it back to Little Rock, he would never make it off of that abandoned farm. His body was found almost two years later at the bottom of the well.¹

The story of Albert H. Parker is not without a home in the historical narrative of Arkansas history. Reconstruction in Arkansas, as was the case throughout the American South, was marked with widespread political and racial violence. A particularly turbulent chapter of this era is known as the Arkansas Militia Wars of 1868-1869. The Militia Wars consisted of two major phases. The first was the uprising of terroristic violence aimed at Arkansas Unionists and freedmen in the months before the 1868 presidential election. Parker's murder fits neatly into the narrative of this first phase. The second phase began the day after the November 3 election, when Governor Powell Clayton declared martial law in ten counties and deployed the state militia to establish order and ensure that the county governments reasserted control over the population.² The militia campaigns succeeding in quelling the domestic disturbances in the following months and martial law was lifted from the final county in March of 1869, thereby ending the Militia Wars.³ The actions and conduct of the militia, however, during their respective campaigns were highly controversial and criticized by many Arkansians.

The events of this period are marked by their tragedy, controversy, and predictability. All in all, the domestic terrorism that was plaguing Arkansas society during this period made it

¹ Stanley F. Horton, *Invisible Empire: The Story of the Ku Klux Klan, 1866-1871* (Montclair, NJ: Patterson Smith, 1969), 253-257; Thomas A. DeBlack, *With Fire and Sword: Arkansas, 1861-1874* (Fayetteville: University of Arkansas Press, 2003), 189.

² Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, CT: Greenwood Press, 1979), 159.

³ DeBlack, *With Fire and Sword*, 199.

necessary for Clayton to declare martial law and deploy the militia. While the Arkansas Militia Wars are notable for being perhaps the most successful attempt by a state government during Reconstruction to counter the actions of the Ku Klux Klan, it did little to substantially change Arkansas' Reconstruction trajectory. Not only would domestic terrorism and civil instability return and continue to disrupt Arkansas throughout Reconstruction, but the militia campaign heavily damaged the reputation of the Republican party in Arkansas. In a way, the Militia Wars really contributed more to the eventual redemption of Arkansas politics than it did to prevent it, by severely damaging the already fragile reputation of the Republican party in Arkansas.

In the end, Southern resistance to Reconstruction proved stronger than Washington D.C.'s willingness to force the South to reconstruct. This larger truth can be seen clearly in the Militia Wars. Arkansas, like the rest of the former-Confederacy, demonstrated the tenacity and persistence necessary to repel Reconstruction efforts long enough for priorities in Washington to shift to new goals. Thus, the Militia Wars ultimately just delayed the inevitable and failed to deliver a lasting domestic peace or protection for African Americans in the state.

Historiography

The three preeminent works on the Arkansas Militia Wars are *The Aftermath of the Civil War, in Arkansas* by Powell Clayton, *White Terror: The Ku Klux Klan Conspiracy and the Southern Reconstruction* by Allen W. Trelease, and *With Fire and Sword: Arkansas, 1861-1874* by Thomas A. DeBlack.⁴ These works provide the most comprehensive accounts of the events surrounding and relating to the Militia Wars and are the most frequently cited sources in peripheral studies.

⁴ Powell Clayton, *The Aftermath of the Civil War, in Arkansas* (New York: Negro Universities Press, 1969); Trelease, *White Terror*; DeBlack, *With Fire and Sword*.

The Aftermath of the Civil War is by far the leading work on the topic, as it is the autobiography of the central character of the Militia Wars story: Governor Powell Clayton. Clayton published this autobiography in 1915 and it provides a detailed account of his executive actions during the years of the Militia Wars. Additionally, Clayton constantly cites other primary documents throughout the book, such as newspapers, legal documents, and the Arkansas House Journal. Altogether, these components make *The Aftermath of the Civil War* the leading source for information on the Arkansas Militia Wars. As one might expect, Clayton defends his actions and therefore takes a pro-Republican view and accuses Arkansas Democrats of being the aggressors and ones responsible for the bloodshed of this time period.

White Terror was published in 1971 and is the leading study on the creation and actions of the Ku Klux Klan during Reconstruction. The chapter entitled “The Arkansas Militia vs. the Ku Klux Klan” provides the single most in-depth account of the Arkansas Militia Wars of 1868-1869, and practically all studies written since rely on and cite this paramount study. *With Fire and Sword* was published in 2003, and its chapter entitled “‘Good Healthy Square, Honest Killing’: The Militia War, 1868-69” provides one of the most complete scholarly retellings of the Militia Wars, second only to *White Terror*. Both of these works share a similar historical interpretation of the Militia Wars which departs from the Dunning school of thought and instead gives Clayton qualified praise for his actions.

In addition to these three main sources, *Invisible Empire: The Story of the Ku Klux Klan 1866-1871* by Stanley F. Horn and *A Confused and Confusing Affair: Arkansas and Reconstruction* provide the next best overall narratives of the Militia Wars.⁵ *Invisible Empire*, published in 1969, is comparable to *White Terror*, though not as comprehensive or detailed.

⁵ Horn, *Invisible Empire*; Mark K. Christ, ed., *A Confused and Confusing Affair: Arkansas and Reconstruction* (Little Rock: Butler Books Center, 2018).

However, it does provide a few new insights and stories that *White Terror* does not cover as extensively. In the 2018 book *A Confused and Confusing Affair*, the chapter “‘It Ain’t Over Till It’s Over’: Political Violence in Reconstruction Arkansas, 1865-1892,” written by Kenneth C. Barnes, gives another one of the best available narratives of the Militia Wars. This chapter functions as a recent scholarly summary of preexisting works on the matter, and therefore is helpful in giving a thorough overview of the history but provides little to no new findings.

Otis A. Singletary has produced several prominent works that are deeply insightful on the Arkansas Militia Wars, including his 1957 book *Negro Militia and Reconstruction* and 1956 article “Militia Disturbances in Arkansas During Reconstruction.”⁶ *Negro Militia* is among the top resources for the Southern militia movement in the Reconstruction South, and therefore has a relatively wide scope that does not focus specifically on the Arkansas Militia Wars of 1868-1869 in great detail. However, it does much to place these events in their broader context and illuminates general trends that are very helpful for properly understanding the Arkansas Militia War. Additionally, *Negro Militia*, as well as the “Militia Disturbances” article, are notable for their focus on the legal issues facing Clayton’s organization and deployment of the state militia. Such considerations are not addressed as thoroughly in other major sources.

Major works on Arkansas Reconstruction that include helpful sections on the Militia Wars include *The Impact of the Civil War and Reconstruction on Arkansas: Persistence in the Midst of Ruin* by Carl H. Moneyhon and *Reconstruction in Arkansas, 1862-1874* by Thomas S. Staples.⁷ *The Impact of the Civil War and Reconstruction*, published in 2002, includes an

⁶ Otis A. Singletary, *Negro Militia and Reconstruction* (Austin: University of Texas Press, 1957); Otis A. Singletary, “Militia Disturbances in Arkansas During Reconstruction,” *The Arkansas Historical Quarterly* 15, no. 2 (1956).

⁷ Carl H. Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas: Persistence in the Midst of Ruin* (Fayetteville: University of Arkansas Press, 2002); Thomas S. Staples, *Reconstruction in Arkansas, 1862-1874* (Columbia University, 2012).

emphasis on the evolution of the Arkansas economy during this period, and how these economic factors influenced sociopolitical behaviors. This book gives little attention to the Militia Wars but nonetheless is a major work on Arkansas Reconstruction and is commonly cited in other sources. Published in 1923, *Reconstruction in Arkansas* presents, in the words of DeBlack, “the standard Dunning school interpretation.”⁸ As one of the earliest secondary sources published on Arkansas Reconstruction, it represents the dominant historical interpretation of the times.

Scholarly articles of precise focus provide beneficial local detail. Relevant and notable studies include “Reconstruction in the Ozarks: Simpson Mason, William Monks, and the War that Refused to End” by Brooks Blevins, “The Killing of Congressman James Hinds” by William B. Darrow, and “D. P. Upham, Woodruff County Carpetbagger” by Charles J. Rector.⁹ These were all published in the *Arkansas Historical Quarterly*.

This paper will draw upon all of these sources and synthesize their research into a single unified, cohesive narrative on the Militia Wars.

⁸ DeBlack, *With Fire and Sword*, 243.

⁹ Brooks Blevins, “Reconstruction in the Ozarks: Simpson Mason, William Monks, and the War that Refused to End,” *The Arkansas Historical Quarterly* 77, no.3 (2018); William B. Darrow, “The Killing of Congressman James Hinds,” *The Arkansas Historical Quarterly* 74, no.1 (2015); Charles J. Rector, “D. P. Upham, Woodruff County Carpetbagger,” *The Arkansas Historical Quarterly* 79, no.1 (2000).

Section B: Chronological Narrative

The Beginnings of Arkansas Reconstruction

The long, violent process of Reconstruction in Arkansas effectively began after the Union army's capture of Little Rock in September 1863. When federal troops under the command of Major General Frederick Steele overwhelmed the Confederate forces stationed at and surrounding the state's capital, the Confederate state government that had been operating there was forced to flee.¹⁰ Three months after Steele retook Little Rock, President Abraham Lincoln announced his Reconstruction plan, commonly known as the "Ten Percent Plan." Unionists in Arkansas responded swiftly, and by January 1864 had achieved the required threshold of loyalty oaths and held a convention in Little Rock to draft a new state constitution.¹¹ The convention also elected Isaac Murphy, the only delegate to vote against secession at the Arkansas Secession Convention in 1861, as the state's provisional governor.¹² In March, the new constitution was overwhelmingly approved for ratification in a statewide election that also voted in a new state legislature.¹³

The Murphy government proved to be short lived and ineffective. While Lincoln legally recognized the legitimacy of this new Unionist state government in Arkansas, the U.S. Congress did not.¹⁴ In the congressional elections of 1865, turnout in Arkansas was very low, in large part

¹⁰ Thomas A. DeBlack, "Civil War through Reconstruction, 1861 through 1874," *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/civil-war-through-reconstruction-1861-through-1874-388/>.

¹¹ Morris S. Arnold et al., *Arkansas: A Concise History* (Fayetteville: University of Arkansas Press, 2019), 188.

¹² Michael B. Dougan, "Isaac Murphy (1799-1882)," *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/isaac-murphy-116/>.

¹³ *Arkansas: A Concise History*, 188.

¹⁴ *Ibid.*

due to an infamous voting constraint passed by the Murphy government.¹⁵ Termed the “Iron Clad Oath,” this voting provision required all eligible voters to swear that they had not supported the Confederacy since March 1864.¹⁶ Thus, the 1865 elections in Arkansas, much like the 1864 elections, were restricted to only Unionist voters.

Confederate re-enfranchisement finally came in large part due to an 1865 ruling from the Supreme Court of Arkansas that struck down the Iron Clad Oath requirement as unconstitutional.¹⁷ With this voting constraint gone, the 1866 midterm elections would be the first postwar elections held in Arkansas without strict restrictions on former Confederates.¹⁸ The results were an almost complete changing of the guard. Every incumbent official who was up for reelection was voted out. In the words of Civil War Colonel Willoughby Williams, the Conservatives aimed to “recover through the ballot box what they had lost by the sword.”¹⁹

The actions taken by the new Conservative government were predictable in that they reflected the widespread Southern impulse to resist a radical Reconstruction.²⁰ For example, the Conservative state government in Arkansas, along with most of the South, refused to adopt the Fourteenth Amendment.²¹ Historian Kenneth C. Barnes concludes that the actions of the

¹⁵ *Arkansas: A Concise History*, 189.

¹⁶ Jay Barth, “An (Un)Exceptional Moment: The Politics of Reconstruction-Era Arkansas,” in *A Confused and Confusing Affair*, ed. Mark C. Christ (Little Rock: Butler Books Center, 2018), 66.

¹⁷ Dougan, “Isaac Murphy.”

¹⁸ Horn, 243.

¹⁹ Kenneth C. Barnes, “‘It Ain’t Over Till It’s Over’: Political Violence in Reconstruction Arkansas,” in *A Confused and Confusing Affair*, ed. Mark C. Christ (Little Rock: Butler Books Center, 2018), 172.

²⁰ “Conservatives” in this time period referred to a political faction mostly comprised of prewar Democrats and Whigs who opposed Republican Reconstruction. The Conservatives were soon reabsorbed back into the Democratic party.

²¹ Barth, “An (Un)Exceptional Moment,” 67.

Conservative state government indicated that the “ex-Rebels seemed to think that they could take back their former dominance, simply minus slavery.”²²

The U.S. Congress stepped in to address these trends, which were characteristic throughout the South, in March 1867 with the passage of the Military Reconstruction Act. This signaled the national transition from Presidential to Congressional Reconstruction.²³ Under this act, the former Confederacy (except Tennessee, who had been the only state to adopt the Fourteenth Amendment) was divided into five military districts and each placed under the control of an appointed military officer. Congress also placed federal troops in charge of overseeing voter registration these military districts.²⁴

Arkansas was put into the Fourth Military District, along with Mississippi, which was headed by General E.O.C. Ord.²⁵ Ord quickly moved to suspend the actions of the existing Conservative government and organized a November statewide election to decide on whether to have a new constitutional convention.²⁶ Under the new federal statute, Ord controlled the franchise in the November 1867 election.²⁷ Two things were notable about which Arkansians were determined to be eligible voters in the upcoming elections. First, the Iron Clad Oath was

²² Barnes, “‘It Ain’t Over Till It’s Over,’” 173.

²³ Ibid.

²⁴ *Arkansas: A Concise History*, 194-195.

²⁵ Carl H. Moneyhon, “The Complex Character of Post-Civil War Reconstruction, 1863-1877,” in *A Confused and Confusing Affair*, ed. Mark C. Christ (Little Rock: Butler Books Center, 2018), 38.

²⁶ *Arkansas: A Concise History*, 195.

²⁷ Barnes, “‘It Ain’t Over Till It’s Over,’” 67.

reinstated, thereby disenfranchising ex-Confederates again.²⁸ Second, 21,696 Black men were added to the state's electoral rolls. These would be the first Black men to vote in Arkansas.²⁹

In the November elections, Arkansas voters overwhelmingly approved the initiative and so a convention was held in January 1868 in Little Rock to redraft the state constitution.³⁰ These elections and the January convention in 1868 were dominated by Arkansas Republicans. The Republican party of Arkansas first emerged in April 1867 when a statewide convention was held just a month after the beginning of Congressional Reconstruction.³¹ The constitution drafted at the convention disenfranchised ex-Confederates, enfranchised freedmen, and gave freedmen the right to serve on juries, hold public office and serve in the militia.³² A ratification vote for the new constitution was set to be held in March, alongside congressional and state elections.³³

As Republicans were going about with their Reconstruction initiatives, state Conservatives held two important gatherings of their own. The first meeting was held in December 1867, where members resolved to begin cooperating with the national Democratic party at large.³⁴ The second meeting was a state convention held in January 1868 and marked the emergence of the postwar Democratic party of Arkansas.³⁵

²⁸ Barth, "An (Un)Exceptional Moment," 67; Barnes, "'It Ain't Over Till It's Over,'" 173.

²⁹ Blake Wintory, "African American Legislators in the Arkansas General Assembly, 1868-1893," in *A Confused and Confusing Affair*, ed. Mark C. Christ (Little Rock: Butler Books Center, 2018), 88.

³⁰ *Arkansas: A Concise History*, 195.

³¹ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 242.

³² *Arkansas: A Concise History*, 196.

³³ Barth, "An (Un)Exceptional Moment," 68.

³⁴ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 246.

³⁵ *Ibid.*, 247.

In the March elections, the constitution was ratified, Republicans swept state offices, and Powell Clayton was elected governor.³⁶ Regarded as one of the best federal cavalry commanders in the Trans-Mississippi theatre during the Civil War, Clayton bought a cotton plantation near Pine Bluff in 1865 and settled there at the end of the war.³⁷ Clayton was born in Pennsylvania and was living in Kansas at the time the Civil War broke out.³⁸ A prewar Democrat who was initially supportive of President Andrew Johnson's lenient Reconstruction policies, Clayton became an active Republican after becoming convinced that "a Union man could not live in the State in peace."³⁹

The new legislature quickly adopted the Fourteenth Amendment and applied for re-entry into the Union.⁴⁰ When the U.S. Senate voted to approve a bill allowing Arkansas' re-entry on June 22, Arkansas became the first state to rejoin the Union under the conditions stipulated by the Congressional Reconstruction Acts.⁴¹

In retrospect, these early developments after the passage of the Military Reconstruction Acts mark the high point for Republican interests for reconstructing Arkansas politics and society. In the early summer of 1868, all major Reconstruction goals were being achieved in Arkansas: reentry into the Union, abolition of slavery, citizenship and voting rights for freedmen, and the prevention of the secessionist antebellum leaders from reasserting political control. Yet

³⁶ David Sesser, "Militia Wars of 1868-1869," *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/militia-wars-of-1868-1869-7904/>.

³⁷ DeBlack, *With Fire and Sword*, 175; *Arkansas: A Concise History*, 197.

³⁸ Carl H. Moneyhon, "Powell Clayton (1833-1914)," *Encyclopedia of Arkansas*, <https://encyclopediaofarkansas.net/entries/powell-clayton-94/>.

³⁹ Clayton, 35.

⁴⁰ *Arkansas: A Concise History*, 197.

⁴¹ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 250.

despite the early success of these Congressional Reconstruction efforts, the Democrats and ex-Confederates refused to accept defeat. Such a fact is the key truth of not only Arkansas Reconstruction, but Reconstruction on the whole throughout the South. In the words of Barnes, “disfranchisement in 1868 eliminated political activity as an option for Conservative-Democrats, leaving illegal force as the way to pursue their interests.”⁴²

The combination of the politically ambitious and aggressive Arkansas Unionists with the disfranchisement of ex-Confederates (which was more restrictive in Arkansas than most other Southern states) set the stage for the period of political violence that would ensue following the inauguration of the new Republican government in 1868.⁴³

Rise of the Ku Klux Klan in Arkansas

As Arkansas Democrats reorganized in response to Republican takeover in early 1868, an outbreak of political and racial violence occurred throughout much of the state.⁴⁴ The violence was typically directed towards the key constituents of the new Republican party—Unionists and freedmen—and often aimed at “disrupting voter registration and intimidating prospective Republican voters.”⁴⁵ Of the White Arkansans attacked, Freedmen’s Bureau agents and county registrars were especially targeted.⁴⁶

⁴² Barnes, “‘It Ain’t Over Till It’s Over,’” 175.

⁴³ Trelease, 149.

⁴⁴ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 251.

⁴⁵ Trelease, 149.

⁴⁶ The Bureau of Refugees, Freedmen, and Abandoned Lands, nicknamed “The Freedmen’s Bureau,” was a program established by the federal government in March 1865 to aid and provide for the newly freed slaves in the South.

In addition to issues surrounding the upcoming fall election, Clayton's reestablishment of the state militia further incited his opponents to violence. This move would prove to be very consequential for Arkansas' Reconstruction process, as historian Otis Singletary notes that "in no other state were these forces [state militias] used as often or as actively as in Arkansas."⁴⁷ Men responded from many different areas of the state, but most heavily from the Ozark region.⁴⁸ The racial makeup of the new Arkansas militia was of considerable notice and importance, as many African Americans joined the new force's ranks. Under state law, only eligible voters could join the militia; therefore freedmen could join and ex-Confederates could not.⁴⁹ Singletary notes the importance of this: "The feeling of resentment that resulted from placing armed Negroes in positions of authority over Southern whites goes a very long way toward explaining the violent reaction that inevitably accompanied militia activities."⁵⁰ The inclusion of freedmen in these units led to their being termed "negro militias."

The ultimate goal of and party responsible for this cycle of violence have been historically disputed. Republicans and Democrats each blamed the other as being the responsible party.⁵¹ Furthermore, some believed these attacks were only concerned with influencing the fall 1868 elections, while others, such as the assistant commissioner of the Freedmen's Bureau, Major General C.H. Smith, believed they were an attempt to overthrow the state government.⁵² However, as historian Allen Trelease notes, "most of the specifically political terrorism was

⁴⁷ Singletary, "Militia Disturbances in Arkansas," 142.

⁴⁸ Trelease, 103.

⁴⁹ DeBlack, "Civil War through Reconstruction."

⁵⁰ Singletary, *Negro Militia and Reconstruction*, 16.

⁵¹ Staples, *Reconstruction in Arkansas*, 291.

⁵² DeBlack, *With Fire and Sword*, 180.

aimed at local officials rather than at the state government itself.”⁵³ Whatever the case, this wave of domestic terrorism coincided with the emergence of the Ku Klux Klan in Arkansas, and many of these attacks can be directly linked with the Klan.⁵⁴

Historian Eric Foner defines the Klan as, “a military force serving the interests of the Democratic party, the planter class, and all those who desired the restoration of White supremacy.”⁵⁵ The Ku Klux Klan was originally formed in Pulaski, Tennessee in 1866 as a pseudo-fraternal organization without criminal intentions. But as Reconstruction became harsher for non-Unionist Southerners in the time of Congressional Reconstruction, the nature of the organization shifted towards violence, vigilante justice, and White supremacy.⁵⁶ New “dens” began to appear around Tennessee in 1867 and in Arkansas by early 1868.⁵⁷ Although it remains unclear to what extent Klan activities in the state were directed and controlled at the state level or locally organized, historian Thomas DeBlack concludes that “it seems very clear that the rise of the organization coincided with the beginning of a massive campaign of terror and violence in all but the northwestern counties in the state in 1868.”⁵⁸

The period of domestic terrorism that ensued started as early as May and continued through November. Southern and northeastern counties were the most heavily affected areas, while the southeast and northwest counties were the least. This fits with social trends in Arkansas, as the southern and northern areas of the state had been plagued with “lawless bands”

⁵³ Trelease, 149.

⁵⁴ DeBlack, *With Fire and Sword*, 177-178.

⁵⁵ Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1989), 425.

⁵⁶ DeBlack, *With Fire and Sword*, 177.

⁵⁷ Barnes, “‘It Ain’t Over Till It’s Over,’” 175.

⁵⁸ DeBlack, *With Fire and Sword*, 180.

even before the Civil War, and the southeast and northwest had high African American populations and strong Unionist support.⁵⁹

Southern Region

The southern counties with documented violence include Ashley, Bradley, Columbia, Drew, Hempstead, Lafayette, Little River, Sevier and Union. In Bradley and Columbia Counties, parties of armed riders patrolled the roads, “shooting into the homes of freedpeople,” and “threatening Unionists of both races.”⁶⁰ A state legislator from Columbia County wrote Clayton in August and informed him that twenty Black men had been killed in the previous ten days.⁶¹ On October 22, the Little Rock *Morning Republican* claimed that fifty freedmen had been killed in Columbia County.⁶² Clayton was also informed that the registrars in Columbia County were harassed and pressured to register ex-Confederates.⁶³

In Drew County, a group of fourteen Klansmen kidnapped Deputy Sheriff William Dollar from his home one night in October. The Klansmen tied a rope around Dollar’s neck and tied the other end around the neck of Fred Reeves, a local freedman. The two were dragged 300 yards from Dollar’s house, shot dead, and then left on the road in an entangled embrace.⁶⁴ In

⁵⁹ Trelease, 149-150.

⁶⁰ Barnes, “‘It Ain’t Over Till It’s Over,’” 176; DeBlack, *With Fire and Sword*, 180.

⁶¹ DeBlack, *With Fire and Sword*, 180.

⁶² Rector, “D.P. Upham,” 66-67.

⁶³ Clayton, 69.

⁶⁴ Trelease, 150.

November, two Black preachers, who were also local Republican leaders, were taken from their homes and whipped.⁶⁵

Violence was particularly harsh in the southwest counties near Texas. This area was unique in that it had never been occupied by Union forces during the Civil War, had repelled the Red River Expedition campaign near the end of the war, and therefore was particularly unwilling to submit to Reconstruction demands. In addition to Klan violence, this region was home to the infamous desperado Cullen Montgomery Baker. A sociopathic outlaw, Baker became a “defender of the Lost Cause” and domestic terrorist in Arkansas in the early aftermath of the Civil War.⁶⁶

In late October, the Cullen Baker gang ambushed a group consisting of the sheriff of Little River County, an assistant U.S. assessor, a Freedmen’s Bureau agent, and a freedman as they were traveling to Rocky Comfort.⁶⁷ Only the sheriff managed to escape and survive.⁶⁸ A “negro militia” was raised and sent to go after the killers. The militia soon encountered a party of “300 armed whites who forced it to surrender and give up its arms.” Reports state that militiamen were then shot down and Black women were raped.⁶⁹ Before the year ended, Baker killed another Freedmen’s Bureau agent, several soldiers, and an uncertain number of freedmen in Arkansas.⁷⁰

⁶⁵ DeBlack, *With Fire and Sword*, 180.

⁶⁶ *Ibid.*, 181.

⁶⁷ *Ibid.*, 182.

⁶⁸ Trelease, 150.

⁶⁹ *Ibid.*, 151.

⁷⁰ DeBlack, *With Fire and Sword*, 183.

In Sevier County, L.G.L. Steel wrote to Clayton stating that he and another Republican, Mat Locke, had been threatened with violence and had resorting to hiding out in the woods for the entire month before the election. In his letter to Clayton, Steel declared, “I bless God that I am a republican, but regret that I live in a government that gives me no protection. It is probable that I will be in eternity when you receive this letter.”⁷¹

Northeast Region

The northeastern counties with documented violence include Crittenden, Cross, Independence, Jackson, Mississippi and Woodruff. Crittenden County, directly across the Mississippi River from Memphis, has been described as “the most persistent center of Klan activity in Arkansas.”⁷² Here, the Klan raided and patrolled throughout the summer and fall, and hanged several people near the end of October.⁷³ The county’s Freedmen’s Bureau agent, Captain E.G. Barker, reported that, “a group of around ninety Klansmen was trying to take over the county by assassinating leading Republicans.”⁷⁴ Barker was later shot through an open window at his office, but would survive the injury.⁷⁵

Woodruff County is notable not only for the substantial Klan violence and intimidation that occurred there during this period, but also for being the home of one of the most colorful and controversial Republican leaders in the state, D.P. Upham. A “carpetbagger” like Clayton,

⁷¹ Trelease, 151.

⁷² DeBlack, *With Fire and Sword*, 183.

⁷³ Trelease, 153.

⁷⁴ Barnes, “‘It Ain’t Over Till It’s Over,’” 180.

⁷⁵ DeBlack, *With Fire and Sword*, 183.

Upham moved to Augusta, Arkansas from Massachusetts after serving in the Union army.⁷⁶

Upham was elected to the Arkansas House of Representatives in the March 1868 elections and was a “staunch defender of the rights of the freedmen and a dedicated foe of the Ku Klux Klan.”⁷⁷

In August, Woodruff Klansmen attacked Republican convention delegates twice, and soon after held a meeting in an Augusta church.⁷⁸ At this meeting, a former Confederate officer named A.C. Pickett publicly predicted that the state government would soon organize and deploy a militia, and that Upham would likely help lead this effort. Pickett then declared, “I will be the first man to fire a gun, I will climb over the last *nigger* to get to Upham.”⁷⁹ Additionally, local Democrats placed a bounty on Upham. Upham was not intimidated, but emboldened by these threats. Writing to his brother, Upham stated, “There is no alternative for them [the Klan] but to rise en masse, and if they do that, we will whale hell out of the last one of them, and never allow one of them to return and live here. There is no other way, as I told Gov. Clayton, nothing but good healthy square, honest killing would ever do them any good.”⁸⁰

Just as Pickett predicted, Upham became very active in assisting the organization of the militia in Woodruff County. However, on October 2, Upham and the Woodruff County registrar were attacked by gunmen while traveling in the northern part of the county. Both survived.⁸¹

⁷⁶ Rector, “D.P. Upham,” 60.

⁷⁷ Rector, “D.P. Upham,” 62; DeBlack, *With Fire and Sword*, 184.

⁷⁸ DeBlack, *With Fire and Sword*, 184.

⁷⁹ Rector, “D.P. Upham,” 64.

⁸⁰ DeBlack, *With Fire and Sword*, 185.

⁸¹ Rector, “D.P. Upham,” 67; DeBlack, 185.

Northern Region

The only two northern counties with substantial documented violence are Boone and Fulton County. Klan activity in this region was very limited. However, a series of escalating activities in Fulton County almost led to a major battle between militiamen and Klansmen. In September, Democrats in Fulton formed a club that local Republicans determined to be a Ku Klux Klan den. In response, the Republican sheriff, E.W. Spear, raised a local militia and dispatched it to patrol the county.⁸² On September 19, a group of six militiamen were ambushed on a country road while on duty.⁸³ Simpson Mason, who was a Freedmen's Bureau agent and the county registrar, was killed in the attack.⁸⁴ Sheriff Spear immediately suspected the Klan as the party responsible, and particularly Colonel N.H. Tracy, a wealthy farmer who was thought to be a leader in the local Klan. The day before the killing, Mason had refused to register Tracy's younger brother to vote.⁸⁵

Spear quickly assembled a posse of about thirty men who went and arrested several of Tracy's followers. Hearing of Spear's actions, Tracy went into hiding and later fled the county. At this time, the Klan began raiding and intimidating local officials.⁸⁶ Republicans countered by appealing to Colonel William Monks of Missouri, a "Union guerilla leader," for help.⁸⁷ Monks, who was a friend of Mason's, answered this plea by swiftly crossing over into Arkansas with

⁸² Trelease, 151.

⁸³ DeBlack, *With Fire and Sword*, 186.

⁸⁴ DeBlack, *With Fire and Sword*, 186; Barnes, "'It Ain't Over Till It's Over,'" 178.

⁸⁵ Blevins, "Reconstruction in the Ozarks," 198.

⁸⁶ Trelease, 151.

⁸⁷ DeBlack, *With Fire and Sword*, 186.

seventy-five armed men who were quickly sworn into the Arkansas militia.⁸⁸ These men arrived in Fulton County on September 25 and joined forces with the local militiamen at Tracy's farm, which had been seized by the militia. The militia was hunkering down on the farm in anticipation of a Klan counterattack.⁸⁹ Several other men were arrested for involvement in Mason's murder, but all but four were soon released. Reports indicate that many of these prisoners were tortured, including Captain L.D. Bryant, who was allegedly hung by the neck until he confessed to being a leader in the Klan and that the Mason murder had been a coordinated attack.⁹⁰ Upon Monks' arrival, the Klan sent out a call for help from nearby counties, stating that they needed reinforcements to free the prisoners being held on Tracy's farm. Allies immediately poured into the county, and in just a few days, a force of 700 had assembled and was ready to do battle.⁹¹

A truly bloody conflict was averted only by the arrival of circuit judge Elisha Baxter, who successfully convinced Monks to release the prisoners to law enforcement.⁹² Baxter sent a deputy sheriff to Tracy's farm to transfer the prisoners safely to Salem, the county seat. On the way back to Salem, a band of fifty armed men took one of the prisoners, Uriah Bush, and shot him to death in the woods. Spear later claimed that this was the Klan punishing a prisoner that they suspected of having divulged information to his captives, while local Democrats claimed that this was Monks' men disguised as Klan members. When the rest of the prisoners arrived at Salem, they were released for lack of evidence.⁹³

⁸⁸ DeBlack, *With Fire and Sword*, 186.

⁸⁹ Blevins, "Reconstruction in the Ozarks," 199.

⁹⁰ Trelease, 152.

⁹¹ DeBlack, *With Fire and Sword*, 186.

⁹² *Ibid.*, 186.

⁹³ Trelease, 152-153.

Eastern Region

While there was little Klan activity in eastern Arkansas, two of the most notorious assassinations of this entire period took place in Monroe and Phillips County, respectively. Interestingly, the two politicians slain were practically political opposites but with coincidentally similar last names: Hindman and Hinds. The first to be killed was Thomas C. Hindman. Hindman served as a Democratic U.S. Congressman for Arkansas before the Civil War and was a Major General in the Confederate Army.⁹⁴ During Reconstruction, Hindman was unique amongst Democrats for supporting freedmen suffrage and hoping to “form a biracial coalition against the Republicans.” Hindman’s political talent led him to rise in popularity just as he had before the war until he was shot through an open window on September 27 while sitting with his family in his Helena home. He died from the wound and the assailant was never identified.⁹⁵ Hindman was the only known Democrat to be assassinated in Arkansas during this time.

The other prominent politician who was killed in this region was James M. Hinds. Hinds was a Minnesota lawyer who moved to Little Rock in 1865 at the age of thirty-one and was elected to the U.S. Congress in the March 1868 elections.⁹⁶ Credited with being one of the first White men in Arkansas to champion voting rights for freedmen, Hinds was an outspoken advocate for radical Reconstruction policies in Arkansas.⁹⁷ In the summer of 1868, Hinds received a number of death threats.⁹⁸ On October 22, Hinds and fellow Republican politician Joseph Brooks were shot by George W. Clark. Brooks was not mortally wounded, but Hinds’

⁹⁴ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 245.

⁹⁵ DeBlack, *With Fire and Sword*, 188.

⁹⁶ Darrow, “The Killing of Congressman James Hinds,” 18, 34.

⁹⁷ *Ibid.*, 24.

⁹⁸ *Ibid.*, 41.

wound was fatal. As he lay dying in the road, Hinds managed to retrieve his pencil and write the following on the inside band of his hat: “My name is James Hinds. I am shot in the body and shall live only a few minutes. My wife is at East Greenwich, N.Y. Wife, take care of Jennie and Annie.”⁹⁹ Hinds was not only “the highest-ranking government official to be slain in any state during Reconstruction,” but also the first sitting U.S. Congressman to be assassinated in American history.¹⁰⁰

Such is an overview of the political and racial violence that swept throughout the state in the months after the March elections and leading up to the November elections in 1868. This has not been an entirely exhaustive list of documented terrorism and murders that exist from this period. Reports sent to Clayton indicate that over 200 murders took place in the three months before the November elections.¹⁰¹ Clayton claimed that hundreds of additional freedpeople were killed by “unrestrained Ku Klux nightriders.”¹⁰² Even though Clayton assembled the state militia in August, he refused to deploy the militia before the elections were conducted, insisting that “the whole principle of the ballot is a free expression of the public will, and the use of military force, either at the registration or election, is not desirable.”¹⁰³ Clayton summarizes the state of civil commotion in his autobiography as such:

It proved to be absolutely impossible for the State authorities, in the face of the ingenious Ku Klux means to block their operations, to bring any member of the Klan to justice through ordinary criminal proceedings... The question resolved itself into a plain proposition: Should the Ku Klux organization rule Arkansas, or should its members be

⁹⁹ Darrow, “The Killing of Congressman James Hinds,” 43.

¹⁰⁰ DeBlack, *With Fire and Sword*, 187; Darrow, “The Killing of Congressman James Hinds,” 18.

¹⁰¹ Trelease, 154.

¹⁰² Clayton, 105.

¹⁰³ DeBlack, *With Fire and Sword*, 188.

made subservient to the laws of the State?...As a last resort the declaration of Martial Law and the suspension of the Writ of Habeas Corpus became inevitable.¹⁰⁴

The Arkansas Militia Wars

Republicans fared well in the November elections. Republican presidential candidate Ulysses S. Grant won Arkansas by a margin of about 3,000 votes, and the three Republican Congressmen up for reelection all held their seats (A.A.C. Rogers assumed Hinds' seat).¹⁰⁵ These Republican victories likely prevailed in no small part due to the fact that Clayton declared that fair voter registration had not taken place in fourteen counties and consequently threw out the votes cast in those counties.¹⁰⁶

Now that the elections were over and Republicans had maintained control of the state government, Clayton decided to act. On November 4, the day after the election, Clayton issued a proclamation declaring martial law in ten counties: Ashley, Bradley, Columbia, Craighead, Greene, Lafayette, Little River, Mississippi, Sevier and Woodruff.¹⁰⁷

In the proclamation, Clayton issued a warning that if counties not placed under martial law failed to cooperate with the State's actions or displayed similar illegal behavior, "Martial Law will be extended to them, and war, with all its horrors, may be precipitated upon the State."¹⁰⁸ Clayton was not bluffing, as he later would extend martial law to Conway, Crittenden, Drew and Fulton counties.¹⁰⁹ Essentially, as Barnes observes, "Arkansas was again in a state of

¹⁰⁴ Clayton, 104-105.

¹⁰⁵ DeBlack, *With Fire and Sword*, 190-191.

¹⁰⁶ Sesser, "Militia Wars of 1868-1869."

¹⁰⁷ Ibid.

¹⁰⁸ Clayton, 65.

¹⁰⁹ Sesser, "Militia Wars of 1868-1869."

war between the two sides that had fought it out earlier in the decade.”¹¹⁰ Except this time, instead of the calling the opposing forces Union soldiers and Confederate soldiers, it was militiamen against Klansmen.¹¹¹ The fighting that ensued between these forces came to be known as the Arkansas Militia Wars.

At the offset of the conflict, Clayton was unable to provide the assembled militiamen with proper arms or supplies. Many militiamen, therefore, brought their own guns and horses.¹¹² To meet the needs of the military force at large, the militia was authorized to commander the supplies deemed necessary for continued functioning from local residents. This would prove to be an incredibly unpopular policy amongst many Arkansians and led many to view the military actions of the state government as tyrannical and unnecessarily abusive. While the militiamen were instructed to distribute vouchers to those whose supplies were confiscated, in practice these vouchers were typically only honored for Republican citizens.¹¹³

Under the provisions of General Order No. 8, which was issued four days after Clayton’s initial declaration of martial law, Arkansas was divided into four military districts. A military commander was assigned to each district (except for the northwest district) and was tasked with occupying the counties placed under martial law.¹¹⁴ The militia troops were without standardized uniforms and therefore identified themselves by tying a piece of red cloth to their hats or

¹¹⁰ Barnes, “It Ain’t Over Till It’s Over,” 183.

¹¹¹ This is at least how Clayton portrayed the war. Others would dispute how often the militias engaged actual Klansmen, and how often they engaged with alarmed citizens.

¹¹² Clayton, 111.

¹¹³ DeBlack, *With Fire and Sword*, 192.

¹¹⁴ Trelease, 161.

sometimes left arms.¹¹⁵ In total, about 2,000 men fought for the state in the Militia Wars. Most of these men were White Unionists from the north and west and freedmen from the south and east. Companies were typically segregated by race.¹¹⁶

Southwestern District

Robert F. Catterson was placed in charge of the southwestern district. Catterson served as a brigadier general for Union army and was a state legislator at the time martial law was declared. Catterson and his 360 mounted White men militiamen were the first in the state to take the field, as they assembled on November 13 in Murfreesboro.¹¹⁷ Before Catterson arrived, one of his subordinates, Major Josiah Demby, was notified that there was a supply of arms being stored at Centre Point. Demby promptly responded by dispatching a militia company of one hundred Black men to Centre Point with instructions to seize the weapons.¹¹⁸ The militiamen proceeded to search the town and seize weapons, ammunition, horses and other supplies they found.¹¹⁹ According to a local resident, after a store merchant refused to allow the militiamen into his store to search for weapons, the militiamen “broke open the doors and completely gutted the store, taking away saddles, bridles and everything else they wanted.”¹²⁰ Additionally, the

¹¹⁵ Barnes, “‘It Ain’t Over Till It’s Over,’” 186; DeBlack, *With Fire and Sword*, 192.

¹¹⁶ Trelease, 161.

¹¹⁷ DeBlack, *With Fire and Sword*, 192.

¹¹⁸ Barnes, “‘It Ain’t Over Till It’s Over,’” 186; DeBlack, *With Fire and Sword*, 192.

¹¹⁹ Trelease, 161.

¹²⁰ DeBlack, *With Fire and Sword*, 192.

militia held a number of residents under armed guard in a nearby field as the search was conducted.¹²¹

After hearing that a large crowd of angry citizens from adjacent areas were gathering outside the town, the militia company began to retreat back to Murfreesboro while Catterson took the rest of his men and headed towards Centre Point. Moreover, residents claimed that they had not been informed of the state of martial law that existed, and instead insisted that they were responding to reports of “lawless marauders.” Regardless, Catterson and the Black company regrouped about seven miles outside of Centre Point and soon encountered the civilian force on the outskirts of town. Barnes identifies this civilian army as “a large force of Klansmen and their supporters,” and the violence that ensued as “rural Arkansas’s equivalent of urban warfare as the two sides fought their way through buildings in Centre Point, ending with the militia routing the opposition.”¹²² One militiaman and eight local residents were killed in the battle.¹²³

After winning the Battle of Centre Point, Catterson and his men searched the town again. In a building where a sniper had been firing during the conflict, the militia found a “den of the Ku Klux Klan, with their disguises hanging about the walls, and with a Confederate Flag spread over the altar where candidates knelt and took their prescribed oaths.”¹²⁴ In a trap door above the Klan den, the militiamen found several men hiding, including a former Confederate major and a Democratic state auditor. In total the militia captured sixty prisoners in Center Point, with some being sent to Little Rock for trial.¹²⁵

¹²¹ Barnes, “‘It Ain’t Over Till It’s Over,’” 186.

¹²² Ibid.

¹²³ DeBlack, *With Fire and Sword*, 192.

¹²⁴ Clayton, 112.

¹²⁵ Trelease, 162.

From Centre Point, Catterson proceeded to move through several other counties in the district with orders to “select the worst” for arrest and quell the guerilla forces. Two people were hanged in Little River County and seventeen others were arrested and held for trial. All seventeen were released after martial law was lifted.¹²⁶ The militia apprehended one of the members of the Cullen Baker gang who had participated in the October attack on the assistant U.S. assessor, Freedmen’s Bureau agent, and freedmen. The gang member was tried, convicted and publicly executed in quick succession. It is thought that Baker himself was at the Battle of Centre Point and had eluded the militia’s search. Clayton issued a \$1,000 bounty for Baker, dead or alive. Baker was eventually killed by a posse of local citizens in Miller County on January 6, 1869.¹²⁷

Reports indicate that Catterson’s militiamen engaged in abusive and criminal behavior throughout their campaign. One of the most notorious incidents occurred in Sevier County, where a Black militiaman raped a White woman while four other militiamen raided her home. Catterson promptly had the rapist executed by firing squad and the robbers dishonorably discharged. While the militia continued their practice of seizing supplies from local citizens, Catterson insisted that some of the incidents his men were blamed for were actually perpetrated by desperado gangs who were not affiliated with the state militia. Catterson authorized citizens to “shoot such men on sight.” Catterson’s militia was also charged with torturing prisoners for confessions as well as local citizens. In their pursuit for mules in Little Rock County, the

¹²⁶ Trelease, 162-163.

¹²⁷ DeBlack, *With Fire and Sword*, 193-194.

militiamen were accused of hanging an elderly White farmer with a trace chain and choking an eleven-year-old boy nearly to death.¹²⁸

Through all of these actions, Trelease concludes that the, “Conservatives in that region were more fearful of the militia than of the Ku Klux criminals they had earlier supported or condoned.” Citizens began traveling to Little Rock to entreat Clayton to lift martial law in the region. Deciding that Catterson had succeeded in rooting out the Klan insurgents, Clayton lifted martial law in all areas of the southwestern region by February 1869.¹²⁹

Southeastern District

Colonel Samuel W. Mallory was placed in charge of the southeastern district. Born in New York, Mallory served as a captain in the Fifteenth Indiana Cavalry and moved to Arkansas during the Civil War. In Arkansas, Mallory became a leading advocate for freedmen. With three companies of Black militiamen raised in Little Rock and Pine Bluff, Mallory and his men arrived in Monticello on November 30.¹³⁰ Despite facing no armed opposition, a few militiamen engaged in “indiscriminate shooting” that yielded no casualties but nonetheless alarmed local residents. The following day, 200 concerned locals gathered and planned to disarm the Black militiamen.¹³¹

In early December, a bipartisan committee of four prominent citizens from Drew County met with Clayton to discuss ending the state of martial law in their county. Clayton recalled that “in the deliberations that followed I became very much impressed with the good faith of this

¹²⁸ DeBlack, *With Fire and Sword*, 193.

¹²⁹ Trelease, 163.

¹³⁰ DeBlack, *With Fire and Sword*, 195.

¹³¹ Trelease, 163-164.

Committee.”¹³² The committee proposed forming a non-partisan “home guard” that would restore civil authority and obey the military officer of their district. Clayton agreed, and the Black militia companies stationed in Monticello were dismissed. On their way home, several militiamen pillaged a number of homes.¹³³

Around the same time, Catterson joined Mallory in Monticello and the militia began to conduct a series of arrests, including that over Stokely Morgan. Morgan was charged with participating in the double murder of Sheriff Dollar and Reeves that had taken place in October. Morgan was convicted by a military commission and executed. Clayton noted that, “the execution of Morgan had a very salutary effect, resulting immediately in the flight from the State of thirteen desperadoes from the County of Drew, who were never permitted to return.”¹³⁴ Catterson and Mallory returned to Little Rock in early January 1869 and were met with a military parade. Martial law was lifted in the southeastern district on February 6, 1869.

Northwestern District

There was never a military commander assigned to the northwestern district, and the only county in this district ever placed under martial law was Conway County. As the state militia become active in the southern region of the state, Klan raids resumed in the county.¹³⁵ On December 2, a Black man was killed outside Lewisburg and a Republican-owned hotel in the town was set on fire by six men in disguises. The fire spread and burned much of downtown

¹³² Clayton, 116-117.

¹³³ DeBlack, *With Fire and Sword*, 195.

¹³⁴ Clayton, 117-118; Trelease, 164.

¹³⁵ Trelease, 165.

Lewisburg. Republicans blamed local Klansmen for committing these crimes.¹³⁶ A local militia, directed by the county sheriff, quickly arrested three suspects. One of these suspects, Thomas Hooper, was shot and killed by the militia. A peace justice in the county wrote to Clayton, claiming that, “lawlessness, with all its horrors, reign supreme here...I do not try to maintain the authority and majesty of the law, for I am well convinced that at least half of the people here are of the Ku-Klux order.”¹³⁷ In response to these developments, Clayton extended martial law to the county on December 8.

A Black militia company began to monitor Democratic areas of Lewisburg and were soon joined by three White militia companies. Another fire broke out on December 16 when a local merchant was killed and his shop set on fire. While Democrats immediately blamed the militia for setting this second fire, the commander of the Lewisburg militia wrote that not only had the militia not started the fire but had been trying to put the fire out. As had happened in Drew County, a committee of concerned citizens went to see Clayton and assure him that civil order would be restored. Clayton lifted martial law in the county on January 12, 1869.¹³⁸

Northeastern District

General D.P. Upham was placed in charge of the northeastern district. Clayton had actually wanted to place Joseph Brooks, a prominent Republican and advocate for freedmen, in charge of this district, but Brooks declined and suggested Upham instead. DeBlack claims that, “Nowhere did the actions of the militia stir more controversy than in northeast Arkansas.”¹³⁹

¹³⁶ Clayton, 151-152.

¹³⁷ Trelease, 165.

¹³⁸ DeBlack, *With Fire and Sword*, 196.

¹³⁹ *Ibid.*

Upham arrived in Augusta on December 8 with about one hundred “poorly armed white militiamen.” Upon arrival, Upham and his men seized all the guns and ammunition they could find and, along with the required help of local citizens, began to put up breastwork defenses.¹⁴⁰ Citizens claimed that the militiamen raided the town, and Upham’s actions verify these reports, as he arrested a group of soldiers for robbery and forced them to return the stolen items.¹⁴¹ Adjutant General Keyes Danforth was sent to investigate the accusation of plundering and found that most of the complaints came from the confiscation of arms. Perhaps the worst conduct was that of Captain John Rosa, who made a practice of arresting citizens and only releasing them after receiving a ransom payment. Rosa himself was soon arrested for blackmail and sent to Little Rock to stand trial.¹⁴²

Soon after Upham’s arrival, a force of 200 men, led by A.C. Pickett, began mobilizing nearby.¹⁴³ In response, Upham took fifteen local citizens hostage and threatened to kill them and destroy the town if attacked.¹⁴⁴ Pickett and his men stood down, and Upham let most of the hostages go. Upham held on to a few who were wanted for previous crimes and proceeded to arrest several others in the town. Military commissions were held and several prisoners were executed. Soon after Pickett’s force dispersed, another force assembled, comprised of men from surrounding counties. Upham dispatched his troops to attack and “quickly routed them.”¹⁴⁵

¹⁴⁰ Trelease, 166.

¹⁴¹ DeBlack, *With Fire and Sword*, 196-197.

¹⁴² Trelease, 166.

¹⁴³ DeBlack, *With Fire and Sword*, 196.

¹⁴⁴ Barnes, “‘It Ain’t Over Till It’s Over,’” 187-188.

¹⁴⁵ Trelease, 166.

Clayton lifted martial law in Woodruff County soon after on December 16.¹⁴⁶

Around the same time that martial law was lifted in Woodruff County, it was extended to Crittenden County, which would be the last county in the state to have martial law lifted. A federal officer reported that the Klan had several hundred members in the county and was executing “a reign of terror, intimidation, and murder.”¹⁴⁷ Colonel James Watson was placed in charge of the militia force in Crittenden County. Under the direction of Upham and with a company of Black militiamen, Watson headed out from his base in Helena on Christmas Eve. On Christmas night, the militia camped out in the woods near Madison, where it snowed six inches. The poorly equipped men endured, “much suffering” that night, but continued on and regrouped with three other companies of Black militiamen a few days later outside of Marion, the county seat.¹⁴⁸

Watson had about 400 men under his command at this point, many of whom were Union veterans and considered “the best troops in the state service.”¹⁴⁹ First, he sent a small cavalry detachment into Marion and they caught the Klansmen unprepared and made several quick arrests. Then Watson marched the rest of the militia into town, established a headquarters at the county jail, and began fortifying defenses.¹⁵⁰ Klansmen from both Arkansas and Memphis began raiding the militia headquarters at night. After failing to penetrate the militia’s defenses, the

¹⁴⁶ Clayton, 125.

¹⁴⁷ DeBlack, *With Fire and Sword*, 197.

¹⁴⁸ Clayton, 126-127.

¹⁴⁹ Trelease, 168.

¹⁵⁰ DeBlack, *With Fire and Sword*, 198.

Klansmen laid siege and trapped the men inside the military outpost. Fortunately for the militia, six companies of cavalry led by Monks arrived from Missouri and broke the siege.¹⁵¹

Local residents accused both the Missourians and the state militia of plundering and abuse. Four Black militiamen under Watson's command raped two White women and were promptly court marshalled, convicted, and executed. This case gained national attention. Another militiaman was convicted and executed for robbing and killing a local resident.¹⁵² In addition, several Klansmen that had been arrested were killed while under the custody of Watson's militia. Watson claimed that the men had died while trying to escape, but nonetheless this incident sparked further outrage from many.¹⁵³ Martial law in Crittenden County on March 21, 1869, thus ending the Arkansas Militia Wars.¹⁵⁴

¹⁵¹ DeBlack, *With Fire and Sword*, 198.

¹⁵² DeBlack, *With Fire and Sword*, 198; Trelease, 168.

¹⁵³ Trelease, 169.

¹⁵⁴ DeBlack, *With Fire and Sword*, 199.

Section C: Conclusion

Arkansas was a dangerous place to be during the Militia Wars of 1868-1869.

Republicans, Unionists, and African Americans all faced violent persecution from the Arkansas Klan or Klan-like actors, and ex-Confederates, Democrats, and even local residents not active in politics were made to fear the wrath of the state militia. As stated earlier, the developments of this period failed to make a lasting impact, except for instilling even more passionate feelings of hostility and divisiveness amongst Arkansians.

The key issue that provoked this violence was the passage of the Military Reconstruction Acts in 1867 and the inauguration of the era of Congressional Reconstruction. These acts were impactful primarily because they forced Arkansas to recognize Black citizenship and Black voting rights for the first time in its history, and this became the main catalyst for the violent uprising that occurred. Both Confederate disenfranchisement and Republican political rule strongly contributed to the frustrations, but both had existed earlier in Arkansas' Reconstruction and, while unpopular at the time, they did not provoke the level of domestic terrorism that arose when the Fourteenth Amendment was adopted. Additionally, many Southerners simply refused to accept the Confederate army's loss in the Civil War and were prepared to use violence to resist any political repercussions that came with the Confederate military defeat. Therefore, the blame for this violence ought to be placed first on the Arkansians who refused to allow the freed slaves to transition from slaves to citizens peacefully.

While Clayton was justified in declaring martial law when he did, his goals of creating a lasting peace were only effectively accomplished in the short term. In the long term, Clayton's actions did little to change Arkansas Reconstruction. Nonetheless, it is commendable that Clayton did what he could when he did to protect the rights of Black Arkansians, prosecute the

terrorism perpetrated by the Klan, and restore law and order. However, the conduct of the militia was often deplorable and sometimes worsened the state of social conditions in Arkansas. It appears discipline was adequately administered to militiamen who engaged in criminal activity, and therefore there was a restraint and real interest in keeping the militia campaigns accountable. But nonetheless, the abuses were so common and so widespread throughout the state that the militia campaigns must be criticized for their overall lack of professionalism.

There is no easy answer to be given for how Reconstruction should have been handled; and the same applies for the Arkansas Militia Wars. In retrospect, students of this conflict, however, should note the bravery of the African Americans who sacrificed their lives attempting to assert the rights their government told them they had. The Black struggle to assert legal protection and social equality after manumission would prove to be a major issue in the American South that no two-year militia conflict in Arkansas could effectively solve.

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