

1884: A Political Mud Sling

As the county marched through the end of the 1800s it was in the midst of a most violent era that began around 1776; in fact much of the south was struggling with inner violence. These teen years of the nation would eventually gave way to a more civil life as a social structure developed through a better standard of living. In South Carolina violence continued because of a weak judicial system as well as the state's hesitance in passing stringent laws on concealed weapons. As early as 1880 Circuit Judge Thomas J. Mackey blamed the rise in violent crimes on the lethal combination of guns and whiskey. York County court records confirms the judge's premise, but public outcries for prohibition and gun control went unheard and violent crimes prevailed. That same year the state enacted a ban on concealed weapons of any kind, but this law was simply ignored and during June of 1885 Judge I. Dommon Witherspoon addressed the York County Grand Jury lamenting that the laws dealing with concealed weapons were being violated with impunity.

Physical confrontations were not the only kind of attacks taking place in York County at the time; something Dr. Joseph G. Black of Blackburg experienced in 1884. In preparation for the Democratic Primary to be held 25 August, Democrats met in convention at Allison's Hall in Yorkville on 19 June to elect delegates to the state convention to be held the following week in the House of Representatives. By the following month Southern Democrats were looking for a grand victory in September with the election of Grover Cleveland, President and Thomas A Hendricks as his vice president. On the home front county Democrats were expecting to sweep the county and state as they had since Wade Hampton broke the back of the Republican Party in 1876. Dr. Black was a member of the Executive Committee as well as a primary candidate for the South Carolina Senate; opposed by Major James F. Hart, General Evader M. Law and A. C. Spencer.

Toward the end of June it was reported that the Yorkville Town Council decided to investigate the indiscriminate sale of liquor by way of physician prescriptions. The Wardens or Councilmen of the town divided into teams and visited the town's drugstores to examine the prescription sales of liquor. They found one case that was in violation of the law--three prescriptions of one quart each by a visiting physician attending to a delegate to the Democratic Convention. The council decided to prosecute the physician, but for reasons unknown they chose not to make their decision public and to defer the warrant for the time being.

When the County Democrat Convention convened in July W. R. Lipscomb shocked Black when he presented a petition asking for Black's resignation charging he had been "careless and indifferent to his duties" as an Executive Committeeman, and had "worked and voted against Democrat nominees." The petition requested J. Augustus Deal to replace Black. D. D. Gaston, W. R. Lipscomb and W. J. McGill signed the petition. Black rose and addressed the convention, denying the allegations saying it was the work of his enemies who had circulated it without his knowledge. The Executive Committee, chaired by Sheriff R. H. Glenn, formed a committee of three--Dr. W. G. Campbell, Iredell Jones and John L. Rainey--to investigate the charges. They retired to collect statements from both sides, but time did not permit them to report their findings and it was recommitted to a committee of five--J. C. Chambers, J. D. Hamilton, W. D. Camp, J. H. Barron and J. C. McGill.

At least seventeen Western York County men came forward saying they had signed the petition

to replace Black with Dill because they understood Black had chosen not to serve, and had no question about the physician's character or his loyalty. Jonathan Moore and three others charged their names were forged on the petition without their knowledge. One hundred and sixteen voters submitted a letter to R. H. Glenn, Chairman of the County Democratic Executive Committee, saying the petition was "conceived in personal ill feeling" and that the doctor should be retained on the committee and no investigating committee was necessary. Black retained his seat on the committee.

Succeeding in keeping his character intact and retaining his seat on the Executive Committee it seemed it would be smooth sailing through the election, but the unexpected happened on 7 August. The Mayor of Yorkville, George W. S. Hart and his councilmen, E. B. McClain, John R. Schorb, W. H. Herndon and John R. Ashe, announced they would be prosecuting Dr. Black for unlawfully giving prescriptions of liquor. The town alleged that on June 21 Black came into town and found five people wanting a prescription of whisky to relieve his ailment. What made the situation strange was that they needed whiskey and no other medication--two needed one quart each, one needed three quarts and two needed two pints each.

The Mayor and Councilmen met soon after they had knowledge of the crime and while the Council wanted to issue a warrant for Black's arrest, but they agreed to wait until the day of the upcoming election. None of the men had any inkling the doctor was considering to be a senatorial candidate. The council met again on July 21, and just before they began, Mayor Hart stopped in at the *Enquirer* office to see if the announcement about Doctor Black would be in that week's issue and was informed the manuscript had not been received. When he met with the council he withdrew his request to make a public announcement and applied for a warrant.

Hearing the council was going to prosecute some believed the council's decision was politically motivated to injure the doctor's chance of being elected. When the rumor reached the Mayor's ear he responded saying he nor the council were not going out of their way to correct the lies being told by the doctor's friends, but were unwilling to remain silent. A sense of duty, he said, was the only thing that motivated the council and it stemmed from the fact that for the privilege of not having liquor sold within the town limits cost the people \$800 in taxes.

Apparently pressured by the public the Mayor and council began backing off. In their statement to the press they acknowledged, "the council may have erred in regarding Dr. Black in common with other physicians, as amenable to that law which says, 'It shall be unlawful for any physician to give a prescription for any such liquors except when actually in bona fide attendance upon a patient.'

The primary went off as scheduled on 25 August and the count showed Black had won, but the Executive Committee was notified that a second count of the Blacksburg ballots would be necessary since a protest would be lodged, alleging corrupt voting. A committee to recount the votes consisted of Iredell Jones, Dr. J. E. Massey, Dr. W. G. Campbell, W. B. McCaw and John L. Rainey. The count results:

Black.....	271
Spencer.....	31

Hart.....	12
Law.....	15

Although all but two ballots were deemed legal by the committee and that the number of votes agreed with the poll list, letters of protest were submitted to the Executive Committee by all three of Black's opponents. General Law contended the Blacksburg precinct had never had more than 189 voters and he charged that not less than thirty-four Republicans had voted at the Blacksburg precinct. Lipscomb said he had knowledge that well-known Republican supporters were not questioned at the Bethany Precinct and that two non-residents voted at the Bullock's Creek precinct. Hart went a step farther than his fellow complainers, wanting the Executive Committee to pronounce the election to be null and void because of irregularities and fraud. Perhaps in retaliation or to prove his opponents were not lily white in their dealings, he declared he was ready to prove an unparoled convict voted for Spencer at the Yorkville precinct. The committee adopted a resolution to investigate any irregularities and Chairman Glenn ordered all to come before the committee on the 27th with evidence in hand

As soon as the count came in and he heard the election would be contested Spencer began giving consideration to withdrawing from the Senatorial race, believing he would be inconsistent in his thinking if he contested the election and remained a candidate. Major Hart and General Law, strongly urged him to reconsider since they believed the committee would pronounce the election null and void, but when the committee convened on August 27 Spencer petitioned the Executive Committee to strike his name as a candidate, and relieve him from taking any part in the investigation.

Iredell Jones moved that the committee proceed to canvas the vote for Senator and hear any protests and evidence that might be presented. The motion was seconded and adopted. Blacksburg, the first precinct on the list was called and the results were announced. The precincts of Bullock's Creek and Bethany were next on the list. Testimony from a large number witnesses concluded about 2 P.M. Thursday, August 28. Irregularities were found to exist only at the three precincts in question--Blacksburg, Bullock's Creek and Bethany. Committeeman Chambers moved that the committee declare the election on the face of the returns. It was seconded by Jones but was rejected by a vote 8 to 7. Dr. Campbell then moved "that upon the evidence heard from the Black's Station precinct by the Executive Committee of York County, that we now declare the election for Senator null and void, and that a new election be ordered. The motion was seconded by Rainey and passed unanimously.

Committeeman Black, candidate for State Senator, ask permission to speak to the committee: "Gentlemen, at the primary election held on the 25th instant, for Senator and other officers, I, as a candidate for the State Senate, received a plurality of the votes given.

"There is no possible doubt, in my opinion, that the result as announced by the returns, was as fair as is possible to be obtained in a contest of this exciting character. Neither myself nor my friends can admit for a moment any other proposition.

"But from the closeness of the contest, some dissatisfaction may arise and some men's minds may be divided upon the question of the result.

"The question is not so much, who shall be the nominee of the party for this high office, as that other high question, the preservation of the unity and harmony of the Democratic Party of York County, especially upon the eve of the approaching national election.

“Sincerely impressed with the conviction that the latter proposition is paramount to all mere personal or selfish considerations, I have, after due reflection, decided to submit to your honorable body the propriety of ordering another election, at some early day, for State Senator; and I here announce myself, if you accept my proposition, as a candidate for the nomination to that office.

“I might have submitted this proposition at an earlier moment, but for that reluctance I felt that such a course might place my friends, who so cordially supported me, in a false position as regarded their fairness and integrity of conduct, and but for the desire to the fullest investigation of the management of the election.”

Secretary W. B. McCaw moved that another election for Senator be held on Thursday, the 11th day of September 1884. The motion was seconded and unanimously adopted. A resolution was adopted, directing the precinct managers to make their returns to the Executive Committee at 12 o'clock M., on Friday, September 12th, 1884.

The following week Black, Gaston and Lipscomb communicated with each other and the public through “cards” printed in the *Yorkville Enquirer*. Black denied all allegations while Gaston and Lipscomb contended they had no ill feeling when filing their petitions, insisting insisted they did so with the best interest in the party. To add weight to their charges against Black, the two declared they had twenty-two signers who were ready to stand behind the charges, and with little effort could get many more who would testify under oath.

On 4 September a card from Dr. Black appeared in the newspaper with the purpose of correcting “some misapprehensions in regard to the strength of the Democratic vote at Black’s Station [Blacksburg] ... I refer the public to the returns from that precinct in the election of 1876 when I. D. Witherspoon received 321 Democratic votes and Hannibal White 78 votes for the Senate...This shows a total vote of 390 votes cast there in 1876, since which the village...has grown up with a population of 420 souls and a voting strength of 83 votes. There are about 90 Negro voters within the bounds of Black’s Station precinct and 35 to 40 can always be depended upon to vote the Democratic ticket in any emergency. The managers of election at the recent primary election at Black’s Station precinct are honorable and high toned men, and incapable of fraud or of permitting fraud to be committed in the election. The contest of Black’s Station vote was conceived in personal spite toward me on the part of W. Anderson and W. R. Lipscomb.” A week later Anderson and Lipscomb responded, protesting Black’s “unjust attack” on them. Regarding their support for Spencer, they said it was not done with spite, but had simply come to the support of their friend who they had supported before the investigation by the Executive Committee.

By the end of the month the two factions were exchanging angry words in the form of “cards” and letters published in the *Yorkville Enquirer*. Three days before the election a “bomb shell” fell on the county in the form of a handbill authored by “Fair Play.” These were distributed among the voters and published in the *Enquirer* addressed to “the Democracy of York.” It read: “On Monday last, the County Executive Committee for York County met at Yorkville. A petition was presented from a Spencer Club, asking the committee to change the rules under which the previous primary election was held, so as to exclude all persons from voting at the election on the 11th instant, who had not registered. The committee, by a vote of 8 to 6 so

amended the rules.

“The avowed object of this petition was to exclude from the support of Dr. Black, the largest vote he had previously obtained in localities remote from the Court House, where voters had not the same facilities for registering as near the center.

“When Dr. Black surrendered his former plurality and proposed a new election in the interest of harmony, neither himself nor his friends supposed that new conditions would be imposed three days before the election, calculated to secure his defeat. The voters of York County will no doubt resent this action in the proper manner. It is now too late for any unrequited friends who previously voted for him to register. Let them go to the polls and have their places supplied by registered voters.”

The Executive Committee was concerned the handbill, distributed at some of the precincts, might mislead voters and incensed that it grossly misrepresented the committee Secretary W. B. McCaw issued the following statement. “On Monday last, the Executive Committee met at Yorkville and a petitions was presented to them by the Spencer Club of Rock Hill asking that the committee construe rule 5 of the rules for conducting the primary elections of York County. The petition did not ask, as is alleged by “Fair Play“ that the committee change the rules under which the previous primary election had been held, but simply asked a construction of an existing rule, to wit: ‘All persons known to be in full sympathy with the Democratic Party, who will be entitled to vote at the ensuing general election shall be entitled to vote at the primary election.’

“The committee, by resolutions, construed the said rule...to mean that only those persons who bear the general reputation of Democrats in the neighborhoods in which they live are entitled to vote in the primary elections, and that all non-residents, all persons convicted of any of the disqualifying crimes against the peace and dignity of the State, and all persons who have failed or refused to take out registration certificates, except those person known to be Democrats, who are to become of age before the day of the general election, and provide themselves with registration certificates are disqualified to vote in the primary elections.

“The above resolution was passed, not as is alleged by “Fair Play” by a vote of 8 to 6, but by 8 to 3, and one of these three voting with the minority, promptly moved that the resolution be made unanimous. In thus construing rule 5, the committee did not change the rule, but simply made clearer what was already clear upon the face of the rule itself. Neither did they manufacture any new law imposing new conditions, but simply gave utterance to the State law governing general elections as it is set forth in Sections 89, 90 and 97 of the Revised Statutes of South Carolina.

“Rule 9, for conducting the primaries, provides that the State law governing general elections shall apply in *all cases* not covered by the prescribed rules for conducting the primary elections. Respectfully, W. B. McCaw.”

After the election result was declared the Executive Committee began its investigation of who authored the inflammatory circular by asking each member to furnish any information he might have. Though some had seen the handbill none had an idea who was responsible, but when Dr. Black was questioned he gave evasive answers and seemed unwilling to cooperate. He admitted he had seen the circular and had even distributed a number of copies, but declared he knew nothing else. It was decided to seek information from Lewis Grist, the editor of the *Yorkville*

Enquirer. Grist agreed to give the committee whatever information he knew, but would do so only if the committee voted on the request. After the motion was made, seconded and adopted, the editor told that Black came to his office on the 10th asking him to print one thousand copies of "Fair Play." Grist said it was Black who furnished the manuscript. Later in the day he turned the copies over to a man who came to the office saying Black authorized him. Later in the day a second lot was handed to the man and the remainder was delivered to Mr. Holler.

A member of the committee reported he had knowledge of a rumor that "Fair Play" was authored by Major Hart. When a three-member team--Campbell, Chambers and Leander Adams--went to interview Hart they were told he indeed was the author and the views expressed in the circular were his own. Summoned to meet with the Executive Committee, he mentioned that the rules for conducting primary elections were adopted in 1880 and that three primaries and one special election was conducted under those rules and not once had they been construed to exclude unregistered voters if they were Democrats. If the rule was correct, he contended, the election was illegal because both registered and unregistered Democrats made those nominations. He informed the committee that when they met three days before the election and accepted a petition by the friends of one of the candidates, in effect they made a new rule. While this might have been legal, he argued that it should have been published before the registration books were closed. Those he believed the committee had erred, he did not mean it to reflect on the motives of the committee, but as far as the circular was concerned, he offered no apology or retraction. How was it that Black was involved? It was written by a friend of Dr. Black and given to him to use as he chose. It was resolved by the committee that since Secretary McCaw had already replied in defense of the committee, and that they were in full agreement with "every statement," no further action would be taken.

John Gillard Black, M.D. was born 17 July 1842, son of William C. and Jane Logan Black. He attended the South Carolina College until he enlisted into the Confederate Army, serving as Quartermaster Sergeant. He graduated Medical College of South Carolina 13 March 1868. He served in the State House of Representative from 1880 to 1882. Elected to the Senate in 1884, he took the seat of James F. Hart who had served from 1882 to his defeat in 1884; Black served out his term to 1888. Hart's son, John Ratchford Hart, served in the South Carolina House of Representative from 1918 to 1920 and was then elected to the State Senate to fill the term 1920 - 1924.

The Old Codger Says

Well, it shore looks like spring is here, folks are busy getting' in their garden, cleanin' their yards and shavin' down and slickin' up the mule. I reckon we will have the usual rash of meetin' at all the local churches. I ain't never figured out how come churches declare spring and fall as open season on sinners, but that's the way it's been since grand pappy wuz a boy. Have you ever noticed how easy it is to get sump'n' started at church, but nobody can ever tell when it run its course.

Now, I'll say one thing, you can depend on Preacher Doright havin' a lively revival. He's

knowned fer slinging hell fire and preaching so loud it there ain't no worry about them kids slumped down on the back pew not hearing. Doright can dangle the sinner so low over hells he can smoke. Well, that's what one old sinner told me, but I expect he wuz gett'n' a whiff of some two-pack a day smoker blowing up from behind him. When Doright gets to goin' sinners, and no few flip-flop'n' deacons can see the Devil walkin' the aisle taking names. The way I see it, the Lord 'spects us to come to church to learn about him, but it seems to me a lot of folks hear more about the devil than they do the Lord. But I'm gonna say this, you can blame the Devil all you want, but the biggest troublemaker you'll ever see is the one that's looking back at you from the mirror.

Aunt Emma will tell you herself that Preacher Doright is earnest about saving souls, almost to a fault. Suspect a sinner is present he's had the church sing all seven verses of "Jes' As I Am" four or five times over. Now, Aunt Emma's a good church woman, but she does get annoyed with the preacher when she got a roast drying out in the oven, and after the forty-forth verse, some body come creeping down the aisle. "It's jes inconsiderate!" She says, "They done lived with that nasty soul fer forty years, it wudn't hurt 'em none to wait another week. But no, they can't make up their mind and all the while my roast is drying out and my corn is about to scorch!"