

“Know All Men By These Presents”

Bonds, Localism, and Politics in Early Republican Mississippi

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In November 1840, Joseph Ryals was elected to the position of local constable in Attala County. Carved out of Choctaw lands only seven years before, Attala was relatively poor, dominated by hill country farmers. Over the span of only a few years, the county had become a base for the state’s Democratic Party and by 1840, as part of a hotly contested election across the country, Whigs and Democrats in Attala took part in a raucous campaign. The character of the election—the impassioned speeches, the public party meetings, the barbecues—would come to dominate mass American politics by the middle of the nineteenth century. When the ballots were counted, Democrats hung onto Attala, though they would lose ground in the state overall. Once the

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bruising campaign was over, however, Joseph Ryals faced a serious challenge. Having won his position in local government, he still was required to post a bond of \$1,000 to hold elected office.¹

The bond Attala's newly elected constable had to post was part of an electoral custom that dated back to a time when the state of Mississippi had been a territory. When they were made part of election law, bonds were meant to promote effective government and ensure the due diligence of officeholders: promissory notes that would be paid should an official like Joseph Ryals fail to uphold the responsibilities of his position. Should he abuse his office, abscond with funds or, most likely, move away from the county before his term of office was complete, Ryals's bond would be called in by the county as a penalty for his transgression. Over time, however, bonds came to represent much more. By the early nineteenth century, posting a bond required the officeholder to gather the signatures of neighbors and associates who could vouch for the character of the elected individual, with not only their reputations but their pocketbooks. The head of a family of eight, without any slaves in his possession, Joseph Ryals could hardly pay such a significant bond on his own. It took him nearly four months to find the money, but by the time he posted his bond, two men put their reputations and their money behind the new constable's candidacy. James Fletcher was one of the signatories and was clearly the patron Ryals required to meet the financial obligations of his office. Fletcher, the owner of twenty-five slaves, was a man of conspicuous wealth in a poor county like Attala. The other signatory, however, was a revealing choice. John Chipley was a non-slaveholding landowner: hardly a member of the county elite, though Ryals's case proves that bonds for office could amount to more than the funds collected. Chipley had been elected to an office that year, as Attala's Justice of the Peace. What Chipley's signature represented for Ryals was social and political capital. With the support of a significant slaveholder and a future county court judge, Joseph Ryals had used his bond

1. For more on the 1840 election, see Ronald R. Formisano, "The New Political History and the Election of 1840," *Journal of Interdisciplinary History* 23 (Spring 1993), 661–82; and Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York, 2005), 495–508. For the election in Mississippi, see Edwin A. Miles, *Jacksonian Democracy in Mississippi* (New York, 1970), 146–59; and Christopher J. Olsen, *Political Culture and Secession in Mississippi: Masculinity, Honor, and the Antiparty Tradition, 1830–1860* (New York, 2000), 17–37.

wisely. By publicly attaching himself to two influential patrons, Ryals proved that though he was a man without substantial means, he was an official with friends. By posting his bond, he had publicly disclosed the supporters who supported his election victory, making a guarantee along with his backers that the voters of Attala could trust him.²

The complexity of these innocuous legal documents tells a political story that has rarely been examined. Over the past two decades, historians have undertaken a complete rethinking of politics in the early republic. Scholars have augmented a rich history of presidential politics with a detailed examination of popular political culture. What this work on the dramatic expansion of the electorate, voter engagement, the influence of party politicians, and the barbecues and parades has revealed is that the process of democratization in the United States began much earlier than previous interpretations had assumed. The election of 1832, previously seen as the high watermark of Jacksonian democracy, is now understood to be the tail end of a transformation.³

2. Bond for Joseph Ryals, Attala Co. MS, Feb. 3, 1840, in Folder 1, Box 2687, Series 115: Bonds—State and Local Officials, Mississippi Department of Archives and History, Jackson, MS (hereafter MDAH). For information on Ryals, see the 1840 Census, National Archives, Washington, DC (M704), which is searchable through Ancestry.com (<http://www.ancestry.com>). All the individual census data in this article, as well as land records, are drawn from this online archive. For the signatories on Ryals's bond, see 1840 Census (M704), 1850 Census (M432) and 1850 Census, Slave Schedules (M432).

3. The more recent study of early republican politics has sought to step out from behind the edifice of the "Jacksonian era" label, while at the same time adopting a broader cultural lens to view the study of politics generally. The best of this work includes Simon P. Newman, *Parades and the Politics of the Street: Festive Culture in the Early American Republic* (Philadelphia, 1997); David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776–1820* (Chapel Hill, NC, 1997); Glenn C. Altschuler and Stuart M. Blumin, *Rude Republic: Americans and Their Politics in the Nineteenth Century* (Princeton, NJ, 2000); Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York, 2000); Jeffrey L. Pasley, "The Tyranny of Printers": *Newspaper Politics in the Early American Republic* (Charlottesville, VA, 2001); Jeff Pasley, Andrew Robertson and David Waldstreicher, eds., *Beyond the Founders: New Approaches to the Political History of the Early American Republic* (Chapel Hill, NC, 2004); Rosemarie Zagari, *Revolutionary Backlash, Women and Politics in the Early American Republic* (Philadelphia, 2007); Johann N. Neem, *Creating a Nation of Joiners, Democracy and Civil Society in Early National Massachusetts* (Cambridge, MA, 2008); and John L. Brooke, *Columbia Rising: Civil*

In this new narrative, the history of a state like Mississippi appears to fit quite comfortably. The expansion of the state into Choctaw and Chickasaw lands shifted Mississippi's political center of gravity, bringing smaller hill country farmers and planters into the fold to challenge river elites who had dominated the region for decades. In addition, a new constitution drafted in 1832 relaxed restrictions on officeholding and voting, and the result was a vibrant political culture. Though historians like Christopher Olsen have rightly questioned the veracity of voters' devotion to party in Mississippi, scholars of early republican politics have been slow, for the most part, to pick up on his insight. Part of the reason for this is due to the kinds of sources political historians use. If newspaper editorials are to be believed, party insiders at the time certainly took the enthusiasm of the electorate as evidence of partisan zeal. Partisan organs like the Whig Natchez *Courier* gleefully reported citizens living in western black prairie counties who formed clubs and organized the party vote, despite their distance from Whig centers of power. Planters who "never before interested themselves in politics are devoting their time and good sense to the cause of the whigs," and in much of the literature on Mississippi it is this zeal for a mass democratic politics that marks the state's history.⁴

However, the very presence of bonds challenges the literature on the

Life on the Upper Hudson from the Revolution to the Age of Jackson (Chapel Hill, NC, 2010).

4. Natchez (MS) *Courier*, July 27, 1840. The best of the literature on this period in Mississippi's political history includes John Hebron Moore, *The Emergence of the Cotton Kingdom in the Old Southwest: Mississippi, 1770–1860* (Baton Rouge, LA, 1988), 18–36; Bradley G. Bond, *Political Culture in the Nineteenth-Century South: Mississippi, 1830–1900* (Baton Rouge, LA, 1995); Christopher Morris, *Becoming Southern: The Evolution of a Way of Life, Warren County and Vicksburg, Mississippi, 1770–1860* (New York, 1995), 132–55; David J. Libby, *Slavery and Frontier Mississippi, 1720–1835* (Jackson, MS, 2004); and Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge, MA, 2005). A historian who has looked more critically at Mississippi's early republican political history is Christopher Olsen, whose study contrasted sharply with those who argued that party loyalty drove state politics. Olsen suggests that participation in the political process did not mean popular devotion to party and that codes of honor and local grievances animated the political choices white Mississippians made at the polls and in their decision to run for office. See Olsen, *Political Culture and Secession in Mississippi*, esp. 121–47. For a study that takes a similar tack in another context, see Mark Voss-Hubbard, *Beyond Party:*

politics of the early republic. They lay bare a political game about which historians know too little. As a security on effective governance and a deeply political disclosure of the individuals upon whom local officeholders depended for their social capital and financial support, bonds tethered county sheriffs, constables, judges, and tax collectors to the monied and the powerful. The existence of these bonds suggests that the rise of American democracy was a much more complex alchemy of practices than we might realize. Whereas much of the scholarship on early republican political culture assumes that by the early decades of the nineteenth century Americans had internalized the language and the practices of mass democracy, bonds force us to rethink the depth of this shift in political self-identity. They provide historians a glimpse at a political world in which democracy and deferential practices rubbed together, creating sparks that have not been fully explored.⁵

Setting roughly one hundred bonds alongside census records, the database at the core of this article reveals some surprising insights. For

Cultures of Antipartisanship in Northern Politics Before the Civil War (Baltimore, 2002).

5. Except for a couple of studies, the majority of historians have not examined bonds for office in detail. Steven Hahn discloses bonds being used in Georgia. See Hahn's *The Roots of Southern Populism: Yeomen Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York, 1983), 66-133. Mention is also made of bonds being used in Pennsylvania in the immediate aftermath of the Revolution, in Terry Bouton, *Taming Democracy: "The People," the Founders, and the Troubled Ending of the American Revolution* (New York, 2007), 148. While Mississippi bonds do not disclose exactly what signatories put up for a bond, Bouton recounts revenue agents being required to mortgage their property to hold office. What is unclear is just how widespread the practice of requiring bonds for office was. Bond records for various offices can be found in the archives of several states. See the records of county Probate Judges for bonds in the Alabama Department of Archives and History, Montgomery, AL. For North Carolina, see the records of the Clerk of Court of Pleas and Quarter Sessions, Register of Deeds, in the North Carolina State Archives, Raleigh, NC. For Illinois, see County Officials' Bonds and Oaths of Office for several counties in the Illinois State Archive, Springfield, IL. For Ohio, see Series 5166: Record of Officials Bonds, 1828-1880, Ohio Historical Society Archives, Columbus, OH. Finally, in Virginia, bond records can be found in the records of the Auditor of Public Accounts, Library of Virginia, Richmond, VA. More research, however, is required to sketch a regional and even national picture of these bonds and the political associations that surrounded them.

one, in both the act of posting bond and the relative acceptance of it as a practice, white Mississippians enshrined a deferential practice at the core of their politics in counties throughout the state. While the street theater of early republican politics allowed a broader array of voters to determine the outcome of elections, bonds forced democratically elected candidates to take part in a deferential ritual that allowed a much smaller number of individuals to determine who could hold office.

Second, while a close examination of bonds certainly sustains the view that most local officeholders were not large slaveholders, they were anything but independent actors. No matter how meager their background, bonds required that candidates seek out monied men and influential patrons. Bonds determined who could run for office, by ensuring that even the most popular candidates won the support of those who supported candidates with cash. For some, the threshold of a bond might be small; in some cases no more than a few hundred dollars. For others, however, bonds represented an investment of thousands of dollars. By requiring that candidates for office incur these kinds of debts, bonds forced would-be public servants to take stock of their friends and make a public show of their support among those with the means to back candidates. At the same time as Americans took part in a riotous popular politics, successful candidates took part in a throwback of a ritual once elections ended: a ritual that challenges scholars to think in new ways about what was modern about the practice of American democracy in the early republic.⁶

Dating back to the state's territorial past, bonds were practical measures used in Mississippi to ensure that overworked and underpaid

6. In making this argument about seeing American political history in perhaps less than revolutionary terms, this article builds on the insights of several political scientists. See Richard Franklin Bense, *The American Ballot Box in the Mid-Nineteenth Century* (Cambridge, UK, 2004); Karen Orren, *Belated Feudalism: Labor, the Law, and Liberal Development in the United States* (Cambridge, UK, 1991); and Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State, 1877–1917* (Chicago, 1999). The work of Ronald Formisano has made much of the patron-client relations that animated urban politics in the same period, and this article builds on some of his insights. In particular, see Formisano's "Deferential-Participant Politics: The Early Republic's Political Culture, 1789–1840," *American Political Science Review* 68 (June 1974), 473–87; and "The 'Party Period' Revisited," *Journal of American History* 86 (June 1999), 93–120.

county officials executed their duties faithfully and honestly. They were mechanisms designed to enforce good government in a region where the funds to pay government officials were scarce, and where the constant movement of people into and out of the region made political stability difficult. They compelled order: a simple arrangement to ensure that sheriffs or tax collectors diligently went about their business, or risked losing a significant investment should they dodge their duty. Legislators hoped that bonds would ensure stability, though as early as 1803 good government seemed a far-off thing as the territorial legislature worried about whether county governments in the region would collapse completely. In his message to the legislature, Governor William C. C. Claiborne described the arrangement of pay for government officials as haphazard, chaotic, and in danger of denigrating the entire political system. Some counties chose to overpay their officials, while others were paid nothing at all. Inadequate compensation for clerks and sheriffs, Claiborne argued, resulted in "frequent resignations; and considerable difficulty is experienced in procuring suitable persons to fill those necessary and confidential offices." Claiborne's effort notwithstanding, the problem only worsened as Mississippi's legislature prepared for statehood. "The emoluments of certain offices established by law," declared Governor David Holmes in 1816, "are so inconsiderable, that in many instances especially in the small counties it is difficult to procure fit persons to accept the appointments" in county government. Without the funds to pay the salaries of elected officials, a complete breakdown of order was in the offing.⁷

Mississippi's legislature took up the issue of bonds in its first session as a state in 1817. Having done away with property requirements for the franchise, perhaps forward-thinking legislators could sense the shift in political winds. What seems clear is that the state's leadership looked to bonds as a means of securing stability at the county level. Delegates adopted a law requiring that all appointed officers "give the security" necessary to ensure the smooth running of government. It was a rehash of the older territorial law, and was hardly a fix for the many problems the state faced, but new stipulations in the law gave the old custom

7. *Journal of the House of Representatives of the Territory of Mississippi* (1803), 7; *Journal of the House of Representatives of the Territory of Mississippi* (Natchez, MS, 1816), 10.

sharper teeth. All officers had to post their bond no more than twenty days after having been appointed to office, or risk losing their appointment. Should an official leave the state, the bond would be surrendered to the county, and if an official became insolvent, the appointee had to offer a new security.⁸

The law reflected the realities of life on a rapidly shifting American frontier. In an environment where currency was scarce, people were constantly on the move, and bankruptcy was common, bonds tethered officials, however imperfectly, to their county. As historians are beginning to make clear, these early concerns were part of what it meant to live on what Joshua Rothman has called the “leading edge” of the market revolution. Life on the rapidly expanding southern frontier was driven by the promise of easy wealth, the international demand for cotton, and the labor of slaves. Amid maelstrom of speculation, the economy of the region operated in tension with good governance and in this context, bonds were vital instruments. The 1817 bond law also accurately located power in the hands of county governments, not in the state legislature. County officials collected taxes and ensured the maintenance of order. When the legislature called for the mobilization of the state militia, county officials like Joseph Ryals ensured that the call went out and that it was done smoothly. It was counties and not the state government that collected the funds put up for bonds. For these reasons, even though the state government placed a new set of demands at the feet of county governments, state legislators still deferred to localities. The new law did not specify what counted as a security for officeholding, or how much of a security should be posted. Though bonds were designed to compel good government, the power of counties and the problem of liquid capital on the edges of the frontier made them something of a blunt instrument.⁹

8. *Acts Passed at the First Session of the First General Assembly of the State of Mississippi* (Natchez, MS, 1818), 197–98.

9. For work that situates the Mississippi Valley at the center of a maturing international economy, rather than at the edges of the expanding American frontier, see Joshua D. Rothman, “The Hazards of the Flush Times: Gambling, Mob Violence, and the Anxieties of America’s Market Revolution,” *Journal of American History* 95 (Dec. 2008), 651–77; Edward E. Baptist, “Toxic Debt, Liar Loans, and Securitized Human Beings,” *Common-Place* 10, no. 3 (2010), www.commonplace.org; Joshua D. Rothman, *Flush Times and Fever Dreams: A Story of Capitalism and Slavery in the Age of Jackson* (Athens, GA, 2012); and Walter Johnson,

Bonds and the legislation surrounding them would become part of a broader struggle for power between the state government and counties from the moment Mississippi was admitted into the Union. As the state grew in size, particularly during the 1830s, the base of power Mississippi's elite had built over more than three decades dissolved, to be replaced with a political arrangement that bore all the markings of a mass democracy. Territorial expansion dramatically redrew Mississippi's political map. In 1833, more than a million acres of land north of the settled state were sold at public auction, a national record broken two years later when land sales more than doubled, totaling more than the entire acreage sold in the rest of the country that year. Driven by massive profits in land speculation and increased cotton production, Mississippi's population (free and slave) boomed. By the end of the 1830s, the state boasted a slave population of nearly two hundred thousand, making up a majority for the first time.¹⁰

To meet the challenge of controlling a dramatically changing state, legislators gathered in 1832 to draw up a new constitution. The result of their efforts showed the extent to which territorial expansion had altered Mississippi's political culture. The 1832 constitution removed qualifications to hold office, and public officials were required to stand for election. As newer counties grew in size and political importance, this new constitutional arrangement would result in an uneasy alliance between counties along the Mississippi River and the burgeoning upcountry. Even before the new constitution had been drafted, the movement of the state capital from Natchez to the rough market town of Jackson signaled a sharp change in the political culture of the state.¹¹

Beneath the surface of rapid democratization, however, lay the reality of politics in a slaveholder's society. As part of the renegotiation of political power within Mississippi, bonds would act as ballast. In response to the dramatic expansion of the electorate and the broader cross-section of

River of Dark Dreams: Slavery and Empire in the Cotton Kingdom (Cambridge, MA, 2013), 73–150.

10. Miles, *Jacksonian Democracy in Mississippi*, 3–17, 118–19.

11. For the 1832 constitution, see *The Revised Code of the Statute Laws of the State of Mississippi* (Jackson, MS, 1857), 23–39. For more on the debate surrounding its passage, see Miles, *Jacksonian Democracy in Mississippi*, 33–43; and Winbourne Magruder Drake, "The Mississippi Constitutional Convention of 1832," *Journal of Southern History* 23 (Aug. 1957), 354–70.

people who could now hold office, delegates grafted an old custom onto a new political structure, by requiring bonds from all elected officials, from tax collector to the state's auditor-general. In time, the state government would attempt to exert more authority over bonds, and counties would reply in kind. By the 1840s, probate judges were invested with sole authority over the approval of bonds, and in 1852 the state government successfully won the right to hold the funds that candidates put forward for their bonds in state coffers. This shift in authority, over not only the administration of bonds but the funds put up to secure them, proved a notable victory for state government. The centralization of power would strengthen the influence of the state legislature over counties. Yet, even after the state government secured bond funds, they would not formalize the amount of money put up for bonds until just before the Civil War. This right remained in the hands of county probate judges, who maintained the power to draft whatever bond they saw fit, for whoever appeared before them following an election.¹²

As a result of this tug-of-war between counties and the state government, the values of bonds for virtually all elected positions varied wildly from one county to the next. Even when the state legislature passed a law in 1857 that stipulated the bond amounts for those elected to the post of sheriff, those who wrote the law treaded very lightly around the prerogatives of individual counties, creating a chaotic system in the process. In river counties like Adams or eastern black prairie counties like Lowndes, persons elected to sheriff had to post a bond of \$20,000, while the same position carried a price tag of only \$5,000 in hill counties like Neshoba. A would-be sheriff in a black belt plantation county like Rankin, lying just east of the state capital, was required by law to raise \$15,000 for his bond, while a sheriff just elected in a piney woods county like Simpson, which shared a border with Rankin, needed only \$4,000 to hold the same office. The calculations that went into determining which offices carried the higher price tag were based, at least in part, on the accumulated wealth in a particular locality. What the negotiation over

12. *Laws of the State of Mississippi, Passed at a Regular Biennial Session of the Legislature* (Jackson, MS, 1844), 130–31; *Laws of the State of Mississippi, Passed at a Regular Session of the Mississippi Legislature* (Jackson, MS, 1852), 201–202. The power of counties has been best examined in a venerable book by Ralph A. Wooster, *The People in Power: Courthouse and Statehouse in the Lower South, 1850–1860* (Knoxville, TN, 1969), 81–106.

bond values indicated was a delicate balancing of power between the state government and counties, officeholders and elites. Though Mississippi was a self-consciously democratic state, with all the freedoms that being a mass democracy entailed, bonds acted as a counterweight. The result was a political system that bore all the outward signs of a mass democracy in the Jacksonian mold, even if the core of the system was run through patronage and cash.¹³

Balancing the power of counties and the authority of elites within a democratic system comports with what Laura Edwards has recently described as the intense localism of the legal systems of the early republican South. Decisions by county courts reflected not a coordinated application of law, but a communal legal culture "which included the credit of the people involved, their families' position in the community, the social networks in which they moved, and the local customs of the area." As decisions about bonds emanated from county courts, they brought a localist ethic from the courthouse to the hustings. Bonds were also agreed to after candidates had been elected to positions, in what were also hyperlocal affairs. Individual counties were bound to hold elections on certain days, with particular laws governing the actual practice of voting. Beyond these stipulations, however, what went on around the polling booth was subject to local custom. From the audiences candidates treated to dueling speeches on election day, to the often public decisions about whether an individual voter had lived in the county long enough to exercise his right to vote, communities determined both the membership and, often, the decisions of the local body politic.¹⁴

To be a successful candidate for office in Mississippi required two things. First, would-be officeholders required an encyclopedic level of knowledge about the politics of counties and neighborhoods, and second, candidates required a collection of monied supporters who would

13. Even in the 1857 legislation, sheriffs were the only position in county government where bond values were enumerated. See *The Revised Code of the Statute Laws of the State of Mississippi* (Jackson, 1857), Sec. 10, Arts. 113, 121–22, 138–203, 128–39. For Sheriff bonds, see Boxes 2689, 2698, Series 115: Bonds—State and Local Officials, MDAH.

14. Laura F. Edwards, *The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South* (Chapel Hill, NC, 2009), 26–99 (quote on 65); *Revised Code of the State of Mississippi*, Sec. 4, Art. 3–15, 91–93; Bensel, *The American Ballot Box in the Mid-Nineteenth Century*, 86–137.

stand with them when the election was over. This was never truer than in the bonds required of county sheriffs. They not only played a role in day-to-day policing but also were the embodiment of local government. This was particularly true after 1832, when the state constitution created Boards of Police in each county to serve as the primary governing body. Sheriffs were the key organizers of elections and the leaders of slave patrols. They commanded constables in every neighborhood beat in a county. Many also served double duty as tax collectors, giving them control over large sums of money. For all of these reasons, bonds for sheriffs were extremely high. On the one hand, one could say that bonds for sheriffs were as high as they were because they would ensure that only the most trusted members of the community could hold the post. On the other hand, it was just as likely that because they represented a significant financial commitment, candidates for sheriff had to seek a base of support in the county, dominated by friends with particularly deep pockets.¹⁵

One of those who sought this prestigious office was Nathaniel B. Johnston, who won election to become sheriff of Newton County in 1843. Situated between the capital of Jackson and the market town of Meridian, Newton was a sparsely settled county of barely 2,500 inhabitants. In many respects, it was similar to that of Joseph Ryals's Attala: a county of small landowners and an equally small slave population. By the time census takers made it to Johnston's home in 1840, they listed him as the head of a large family, with no less than seven children under the age of twenty. Johnston owned a slave, but in addition the census lists a free African American as a member of his household. It is impossible to determine this person's occupation or gender, though in Mississippi this kind of arrangement formed part of a historical moment that was quickly coming to a close. Before the 1830s, law and custom governing the state's slave system had been relatively lax, allowing a small but vital free black community to grow, particularly in and around Natchez. By 1840, more than 1,300 free blacks lived in the state, but the expansion of the state and Mississippi's new constitution provided a panoply

15. For more on the power of county sheriffs, see Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, MA, 2001); Gautham Rao, "The Federal *Posse Comitatus* Doctrine: Slavery, Compulsion, and Statecraft in Mid-Nineteenth-Century America," *Law and History Review* 26 (Spring 2008), 1-56; and Edwards, *The People and their Peace*, 68-69.

of legal protections for slaveholders while at the same time threatening free African Americans wherever they lived. Whether a hired hand or a domestic servant, the free black living under Nathaniel Johnston's roof indicates his status as a man of middling means in a poor, rural community.¹⁶

Regardless of Johnston's status, the \$15,000 bond he was required to post to hold his position posed a massive logistical challenge. Clearly, he was prepared. Posting his bond in early November 1843, only a few days after having been elected, the new sheriff of Newton County likely spent much of his time in the lead up to the election coordinating his supporters and their money. By law, bonds for sheriff had to include not only the name of the individual hoping to hold the office, but no less than two other signatories. The two men who stood with Johnston tell an interesting story, not only about the county in which they lived but also about Johnston's political network. George Armstrong, one of the signatories, was a man much like Johnston. He was a farmer and the owner of a small plot of land, who owned one slave. For Johnston, having Armstrong as a signatory satisfied perhaps his credentials with the majority of the population: a small landowner's stamp of approval on the candidacy of another small landowner. It was the other signatory on the bond, however, that was more important.¹⁷

Nathan Corley was a farmer of some importance. Though he hailed from Jasper County, Corley had invested heavily in land in Newton. In 1841 alone, Corley paid in cash for more than seven hundred and fifty acres all over the county. Corley had died by 1850, but it seems that in the last years of his life he had speculated on the land to amass a significant family fortune. He was survived by his wife, children, and a family estate of more than one hundred and fifty acres. In a small county where

16. 1840 Census (M704). For more on free blacks in Mississippi and more generally in the South, see Charles S. Sydnor, "The Free Negro in Mississippi Before the Civil War," *American Historical Review* 32 (July, 1927), 769–88; and Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York, 1974), 182–216. Lacy Ford has recently set the 1832 constitutional convention, and the increased restrictions on free black communities in Mississippi, as a reaction to Nat Turner's rebellion. See Lacy K. Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York, 2009), 453–58.

17. Bond for Nathaniel Johnston, Nov. 8, 1843, Folder 2, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704).

slaveholding had not significantly altered the structure of social and political power, Nathaniel Johnston had chosen his friends wisely. By securing Corley's support, he had befriended a man on the make and had managed to amass a significant fortune for his bond. In a state where the total value of all farms in 1850, spread throughout the white population, would have yielded little more than \$185 per white inhabitant, Johnston had persuaded two other men to help him post a bond of \$15,000. It was a massive investment, and it is likely that Corley bore much of the burden.¹⁸

Any correspondence between Corley and Johnston has not survived, so it is difficult to discern why a large landowner would have placed his trust and his money in a middling county sheriff. There is no clear familial connection between the two men, no trail of documents connecting the two men through a political party. For a man of some wealth, there were surely other, more lucrative ways for Corley to invest his fortune. The reasons why Corley might have made this investment has less to do with the funds that changed hands, and more with what Johnston's bond represented to his benefactor and the community at large. Social relations among and between whites in the early republican South balanced on a knife's edge between racial unity and economic division. Though the rhetoric of egalitarianism in politics soothed tensions between poorer whites and increasingly wealthy planters, it never closed the gap between the two groups. For this reason, every debt became enmeshed in a thick web of social, cultural, and economic obligations. No matter how insignificant the debt might be, it was incumbent upon both debtor and backer to keep in mind the obligations that every debt incurred. Debts of all kinds were nothing less than the ligaments that fused rural communities.¹⁹

In the case of Corley, there can be no doubt that the credit he offered to Johnston for his bond carried obligations once the Sheriff of Newton

18. U.S. General Land Office Records, 1796–1907, Jan. 5, 1841, Docs. No. 3104, 3638–42, 4166, 4215, 5206; 1850 Census, Population and Slave Schedules (M432).

19. A point made particularly by those who have studied poorer whites in the antebellum South. See, for example, Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York, 1982), 62–87; Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham, NC, 1994).

County was in office. Bonds bought benefactors access to local power. One can also imagine bonds buying preferential treatment: a more thorough patrol of a planter's lands, more lenience when the time came to collect state taxes, or perhaps a more ardent search for a runaway slave if the circumstance presented itself. In Corley's case, incurring the obligation of a local official, in a county where he was still a stranger, would have had several advantages. These political arrangements, not surprisingly, left no paper trail, and this was by design. It was the informality of this relationship that gave bonds for office and debts more generally their social and political power. They were liquid relations, in that debts could be disposed of or managed in a variety of ways. Their liquidity should not, however, deter historians from careful speculation. What the debts and obligations of bonds ensured was that local offices and the men who held them would be part of a broader network of patrons and friends: informal webs of individuals and interests who vied for control of local power. Bonds ensured that the formal structure of local politics mirrored the informal social relations within communities.²⁰

For local officeholders, becoming a part of a local network of patrons could be quite difficult. If one was new to a county (as so many new settlers were), bonds could pose a real threat to an individual's political aspirations. Yet, would-be officeholders found many different ways to overcome this challenge. Amzi P. Boyd won the election to become sheriff of Attala County in 1845. Born in Kentucky, he was not listed in the county-level census five years before, which makes his rise to a prominent position in local government all the more noteworthy. By 1850, the census would list Boyd as the owner of six slaves and the holder of property worth \$1,200. To secure his \$5,000 bond, however, necessity required that Boyd use the opportunity to make up for his recent residency in the county by seeking out more settled citizens. This he found

20. On the relationship between economic debts and social and political obligations, see Hahn, *The Roots of Southern Populism*, 50–85; J. William Harris, *Plain Folk and Gentry in a Slave Society: White Liberty and Black Slavery in Augusta's Hinterlands* (Middletown, CT, 1985), 94–122; Bolton, *Poor Whites of the Antebellum South*, 113–38; and Edward E. Baptist, *Creating An Old South: Middle Florida's Plantation Frontier Before the Civil War* (Chapel Hill, NC, 2002), 120–53. For a comparative angle on this question, see E. P. Thompson, *Whigs and Hunters: The Origin of the Black Act* (New York, 1975); and Victor V. Magagna, *Communities of Grain: Rural Rebellion in Comparative Perspective* (Ithaca, NY, 1991).

through three signatories. Among them, Gordon Boyd (likely a family member) was a young, single farmer with seven slaves, and John M. Thompson was a non-slaveholder and carpenter by trade, hailing from Georgia, who was the head of a small family. What these men possessed and Boyd lacked was the respectability that came from being known as long-standing members of the community. By organizing his bond in this way, Boyd traded on the trust of his backers within the community he hoped to serve.²¹

Even if officeholders had the means, proving their connection to an existing network of patrons was essential. Perhaps the only thing that Lorenzo Stewart had going against him when he ran for sheriff of Yalobusha County in 1841 was that he had not been a resident of the county for long. Born in Georgia, Stewart was not listed in the 1840 census. To overcome this obstacle required resilience, and it would appear that Stewart possessed more than enough. To be sheriff in Yalobusha carried a \$20,000 bond; to raise the money, Stewart enlisted the help of eight men. This was an interesting route to take, especially given that several of the signatories for whom additional information could be gleaned from the census, were men who could have put up Stewart's bond on their own. Men like Robert Williams and John P. Pass counted twelve and twenty-one slaves, respectively, as part of their fortunes and what other signatories lacked in slaves they made up for with significant land holdings. James Abels bought a significant amount of land in the 1840s and would, in time, become one of the larger landholders in Yalobusha County. Isiah Harbour would own no slaves but would hold more than two hundred acres to his name by the 1850s. The issue at play in Stewart's case was that it was not simply the friendship of monied friends that the new sheriff required. What Stewart needed was the support of individuals with a history in the county. Almost all of the signatories on Stewart's bond, but particularly those who did not own slaves, could date their history in the county back at least a few decades. In this way, Stewart proved that though they were often a poor instrument to ensure good governance, bonds proved flexible political instruments at the local level. They made it possible for newcomers to prove their connection to

21. Bond for Amzi P. Boyd, Nov. 10, 1845, Folder 2, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704); 1850 Census, Free and Slave Schedules (M432).

a county by displaying their patrons (and their money) at their bond hearing. By the 1850s, Lorenzo Stewart would join the men on his bond in the higher reaches of society in Yalobusha. By 1850 he was the head of a family of six, with an estate consisting of nineteen slaves and property worth \$3,500.²²

In the case of both Lorenzo Stewart and Amzi Boyd, the bonds for their office were so much more than an empty administrative exercise. In their choice of signatories and in the makeup of the group they gathered around them, the bonds for both men displayed the kind of political acumen required to make one's way up the ladder of local political office. Both Stewart and Boyd turned the potential difficulty of raising significant capital for their office into an opportunity, embedding themselves within an existing network of families and friends. At the same time, both men used that network to make the case to constituents that with the rubber stamp of eminent men in their counties, they were officials to be trusted. They were also, undoubtedly, men to be reckoned with. Both officials were, in short, men with important friends and it was this public show of one's friends that mattered as much, if not more so, than the financial investment officeholders required their friends to make.

Bond values also generated a complex set of political and economic calculations. While membership in a wider association of friends was key to getting a bond in order, judges weighed several variables when setting their value. For some, it was the education or experience of an elected candidate that mattered. In other cases, it was a candidate's connection to respected families in the county that tipped the scales. John Neely, a junior member of an old Pontotoc County family, won election as a county coroner and paid a bond of \$1,500 with the help of two men, including a relative. In contrast, James D. Rosser was elected to become the county coroner in Jefferson County. For the same post and in the same election year, Rosser had to post a bond of \$7,500. In the case of these two men, the setting of bond values likely had as much to do with the reputation of the individuals and their families as it did their particular areas of expertise or their ability to raise the funds. For other posts in

22. Bond for Lorenzo R. Stewart, Nov. 10, 1841, Folder 2, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; 1850 Census, Free and Slave Schedules (M432); 1860 Census, Free and Slave Schedules (M653); Mississippi Land Records Database, Doc. Nos. 2266, 2248, 19251, 21477, 22133.

county government, it was the responsibility of the office that required a significant bond to ensure order and diligence. Thomas Henry McNeill sought a position on Coahoma County's Board of Levees Commission in 1851. The post was prestigious. Over the course of the 1840s, the Mississippi River had flooded plantation lands in the Delta on three separate occasions, and state funds appropriated for the building of levees to avert future floods ensured that the program quickly became an important part of patronage networks in delta counties. For this reason, to have a friend on the Levee Board was a huge boon for any planter, and perhaps because probate judges considered the danger of funds being misused to be high, the bonds for levee commissioners were enormous. Thomas McNeill, for example, posted an \$18,000 bond for his post. The signatories on his bond consisted of five men, three of whom owned real estate equaling almost \$300,000 and property upwards of \$140,000.²³

The total amount paid for some positions were also extremely flexible. In some cases, bonds were set at whatever funds a candidate could muster. T. M. Ewing secured election to the important position of Tax Assessor for Hinds County in 1853, a position that carried with it a significant amount of responsibility. For a position of this sort in the same era, bonds could run into the many thousands. Ewing and seven signatories posted a bond worth \$23,090.71 and one half cents. James N. Harman, who won the same office four years later in Monroe County, posted a bond with the help of three other men, worth \$30,869. In cases such as these, bonds could be made to suit the financial circumstances of candidates and their signatories, as well as the economic fortunes of the county at large. Though they are aberrations in the larger collection of bonds posted in the period, they suggest a malleability that local justices used to suit circumstances as they arose.²⁴

23. Bond for John L. Neely, Nov. 4, 1841, Folder 2, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; Bond for James D. Rosser, Nov. 4, 1841, Folder 2, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704); 1850 Census, Slave Schedules (M432); 1860 Census (M653); Bond for Thomas Henry McNeill, Folder 1, Box 2698, Series 116: Bonds and Oaths, 1850–1915, MDAH; 1860 Census (M653).

24. Bond for T. M. Ewing, Nov. 12, 1853, Folder 1, Box 2698, Series 116: Bonds and Oaths, 1850–1915; Bond for James N. Harman, Dec. 1, 1857, Folder 1, Box 2698, Series 116: Bonds and Oaths, 1850–1915, MDAH.

Bonds also fluctuated as officials proved themselves. In 1852, Christopher Field sought election as Treasurer of Bolivar County's Levee Commission. As a young planter with land and slaves worth roughly \$25,000 in 1850, Field possessed considerable wealth. Even for Field, however, the \$50,000 bond required of him was more than he could bear on his own. When he won the election in 1852, Field called on some important friends. Three men appear on Field's bond. Among them was R. R. Estill, a young planter like Field who owned land and slaves that put him in the middling ranks of planters in the county. The important debt Field incurred, however, was to William Cook, owner of the Dorset Grove plantation and a member of Bolivar County's elite. This political connection proved particularly important for the young Treasurer of the Levee Commission. Field stood for reelection four years later and secured a \$30,000 bond with the help of a family member and William Cook alone. While it is unclear why Field's bond was reduced, one could surmise that it showed the young treasurer's improved standing in the community, or a measure of the important members of the community who backed his election. What does seem clear, however, is that county judges and the local electorate more generally judged candidates not only at the polls but also at bond hearings as well. Once office holders surmounted the obstacle of an initial bond, dutiful service to the county or the successful dispensation of their patron's agenda could bring substantially smaller obligations on future bonds for office. By 1860, Christopher Field was a politician with a secure future, a growing fortune, and a patron he could call on for support when the need arose.²⁵

Alongside the power of the office and the relative importance of those friends candidates gathered around them, there were other practical concerns that determined the value of bonds. In the case of those running for Justice of the Peace, reputation and the need for counties to attract experienced men made bonds something of a formality. As historians are becoming increasingly aware, the inchoate status of the legal profession in the early republic meant that those who sat on the bench were often men who lacked the formal training that would become integral to holding the post by midcentury. Moreover, as Laura Edwards shows, judges

25. Bonds for Christopher Field, May 1852 and May 1856, both in Folder 1, Box 2698, Series 116: Bonds and Oaths, 1850-1915, MDAH; 1840 Census (M704); 1850 Census (M432); 1860 Census (M653).

rarely presided over cases on benches in courtrooms at all. Justices were called to serve in all manner of places, in gatherings of the community that were informal by modern standards but were *made* formal because of the community members who gathered around the judge to take part in the process. For all the seeming informality of court proceedings, communities still sought respected men to serve as justices and, when called upon to post bond, those successful candidates for the office were given much more latitude than those serving in other offices of local government.²⁶

A survey of the bonds from the 1840s shows that justices were anything but members of the elite. Most were small slaveholders or those who owned no slaves at all. A few were men of some economic wealth, but most were farmers with large families. Of ten justices who won office in the 1840 election, only four owned slaves. Moreover, the amount of bonds posted for those who secured offices that year confirms that while there was a basic logic to the amount demanded of elected officials, from one case to the next decisions about bonds were erratic. James Cole's bond for local justice in Attala carried a value of \$500, while John Chipley (the justice who helped Joseph Ryals) posted a bond for office in the same county that amounted to \$1,000. Bartholomew Clark won a place on the bench in Noxubee County in 1840 with a bond of \$3,000. In the same election, Benjamin Sibley won an election to become a justice in Wilkinson, a county of comparable wealth in slaves according to the census, with a bond of only \$500.²⁷

There are many reasons for such fluctuations in the amounts would-be justices were required to put up for their bonds. One reason might well be the paucity of men able to assume the responsibilities of the post within a given county. John F. Carr won his election to Justice in Lowndes County in 1840. He is listed in the census that year as the household head of a large family with eleven slaves to his name. A decade later, his fortunes would increase: he would own nineteen slaves and property worth \$4,200. Given his wealth, one might assume that Carr's bond would be substantial: a sum large enough to compel him to serve

26. Edwards, *The People and Their Peace*, 64–99.

27. Bond for James W. Cole, Dec. 7, 1840; John Chipley, Jan. 6, 1840; Bartholomew Clark, Jan. 6, 1840; and Benjamin F. Sibley, Jan. 12, 1840, all in Folder 3, Box 2689, Series 115: Bonds—State and Local Officials, MDAH.

the county faithfully. Yet, compared with sheriffs and even their deputies, Carr posted a relatively meager \$1,000 to hold office. He would receive the backing from a longstanding member of the community, an E. F. Odeneal, a planter of much greater fortune than Carr, but in this case the bond was little more than a formality. Perhaps because most candidates for justice were not men of means, the bonds they were required to post were comparatively small. While several bonds were valued at \$1,000, a substantial number were half that amount. To become justice of the relatively poor county of Monroe in 1840, Aaron Nix was required to post only \$500 for his bond. John Thompson, who won election to become a justice in the still sparsely settled Delta county of Bolivar, posted a bond the same value as Nix, despite counting five slaves among his property the same year. In the case of justices, economics mixed with the need for expertise, to encourage counties to keep the price of some bonds below the norm.²⁸

The fact that bonds for Justice of the Peace were ascribed a value on a par with county positions like that of constable indicates how eager counties were to maintain experienced justices. It says something equally important about the position of constable as well. Without legislation on the books to guide a judge's decision, the degree to which bond prices for constable remained the same across the country is remarkable. Of the fifty constable bonds surveyed, only five were above the \$1,500 mark, more than half were clustered around \$1,000 and seventeen were valued at \$500.²⁹

Like justices, constables were important cogs in the machinery of local government. As members of law enforcement below that of sheriff, constables were the most visible upholders of order not only within counties, but particularly within their own neighborhoods or "beats." County beats were the building blocks of a county's political system: districts

28. Bond for John F. Carr, Jan. 1, 1840, Folder 3, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704); 1850 Census, Free and Slave Schedules (M432); Bond for Aaron Nix, Jan. 5, 1840, Folder 3, Box 2689, Series 115: Bonds—State and Local Officials, MDAH; Bond for John Thompson, Jan. 7, 1840, Folder 3, Box 2689, Series 115: Bonds—State and Local Officials, MDAH. 1840 Census (M704); 1850 Census, Free and Slave Schedules (M432); 1860 Census, Free and Slave Schedules (M653).

29. All drawn from Series 115: Bonds—State and Local Officials, Box 2687, Folder 1, MDAH.

within a county that organized politics as well as the militia. Within each beat, a constable was the primary law enforcement officer and particularly in counties where slavery was dominant, constables organized and often led the slave patrol or the hastily organized *posse comitatus* who went off in search of runaways.³⁰

It was not only to keep good men in government that bonds for constable were so low. These positions of hyperlocal power were also left open to local non-slaveholders. Of the twenty-three bonds for constable from the 1840 election that were surveyed and could be cross-referenced with the census, only seven constables owned between one and four slaves. John McGaha ran for constable of the First District in Lawrence County in 1840, as the owner of one slave and a family of nine to support. He posted a bond of \$500 for his post. Matthew Patton posted his bond on the same day as McGaha to become a constable in the Third Police District of Lowndes County. He paid twice as much as McGaha for his bond, but the constable's salary would have eased the financial burden for a non-slaveholder who was the breadwinner for a family of eleven.³¹

Not surprisingly, when both men went to post their bond they called on patrons who possessed a significant amount of wealth. McGaha secured his bond with the help of Arthur Fox, a father of nine with some sixty-three slaves to his name. Patton posted bond with the help of Pannell Taylor and Nimrod Davis, owners of thirteen and nineteen slaves, respectively. For both of these men, the price for their office was high, much higher than either man could likely afford. Yet, while it served the political purposes of some sheriffs or justices of the peace to prove their standing among the rank-and-file with bonds which included men from the middling or lower ranks of white Mississippi society, McGaha, Patton and other constables needed no such proof. They were clearly members of the lower ranks, and for this reason they used their bond for a different purpose. Seeking out the most powerful members of their community, constables sought all the authority and influence that a wealthy patron could muster.³²

30. Rao, "The Federal *Posse Comitatus* Doctrine," 9–15.

31. Bond for John McGaha and Matthew Patton, May 9, 1840, Folder 1, Box 2687, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704).

32. 1840 Census (M704).

Yet, even for bonds required of constables, slaveholders posted bonds significantly lower than that of non-slaveholders. Josiah Peck, elected to the fourth Police District in Copiah County, owned a slave and posted a bond for \$1,500, with the help of two friends, while Jackey Magee, a constable elected in the Western District of Marion County who owned nineteen slaves, was required to post a bond of only \$500, which he managed with the help of a family member. Given the range of considerations that went into the determination of how much a candidate was required to put up for a bond—location of a county, length of residence, connection to local influence, personal fortune, the importance of the post—it would be all too easy to suggest that the ownership of slaves alone drove down the cost of slaveholder bonds. Neither Copiah nor Marion were particularly large slaveholding counties by 1840. Regardless of how close these two counties were to plantation centers, it is just as likely that the reason for the discrepancy between these bonds, and others like them, had to do with the level of confidence a judge had in a constable's diligence in rounding up runaway slaves and ensuring order on plantations, if that constable also owned slaves. Whatever the considerations in play, constable bonds stood as a reminder of just how much slaveholding was an index of power in Mississippi politics. No amount of enthusiasm for egalitarian politics could completely mask the insurance slaveholders required from their elected officials, to ensure that their investment in human chattel remained secure.³³

When collected together, bonds show not only the antique political relationships enshrined at the center of a mass democracy but also the calculations of those who put their money behind a candidate. They demonstrate the extent to which elected representatives required important patrons to bolster their claim to office, even after they secured their position through popular election. Bonds also pose a question about why patrons would not seek the office for themselves. It is more understandable in the case of constables, given that most of those who assumed this post sat on the lower rungs of local government. In the case of local justices or even sheriffs, however, the authority invested in these positions could have encouraged more important men of the community to

33. Bond for Josiah Peck, Feb. 5, 1840, Folder 1, Box 2687, Series 115: Bonds—State and Local Officials, MDAH; Bond for Jackey Magee, Mar. 2, 1840, Folder 1, Box 2687, Series 115: Bonds—State and Local Officials, MDAH; 1840 Census (M704).

test their luck in the electoral arena. It appears that it was in the interest of those who possessed the wealth and standing to stay in the background. The mass of voters might bristle at the idea of powerful men assuming local office. It was better to be the backer behind the scenes than the candidate on the hustings. Better to maintain the pretense of mass democracy and work to influence the outcome than to do away with the pretense entirely.

Setting bonds for office alongside the colorful chaos of American elections in the early to mid nineteenth century, the picture that emerges is jarring. Bonds direct our attention not to the rise of a new mass American democracy, but to the remnants of a political world that was supposed to have ended with the Revolution. These mechanisms of the electoral process point us in the direction of a history of American politics that is not a narrative of ascendance, but instead a narrative of overlapping political practice; the old and new clumsily jumbled together. When room is made for bonds in the history of American politics, these documents and the relationships they enshrined in legal language encourage us to look not at parties and formal political contests, but instead at the more everyday practice of politics. Borrowing a formulation from Indian historian Partha Chatterjee, they encourage us to focus on the overlapping world of competing loyalties and constantly shifting contests for access to social, political, and cultural power that makes up the political world of those who are governed, as well as those who do the governing. They offer a glimpse not at how people talked about their political rights, or what they proclaimed on the stump, but something of how politics worked. The presence of bonds did not encourage a backlash from the electorate. Despite their influence in the machinations of electoral politics, bonds were not the subject of intense debate at any level of government, or in the partisan press that scrutinized so many other issues of import. But the fact that bonds did not draw the ire of voters should not discount their importance. Rather, they should alert us to the complexity of the popular political practice in midcentury America: a bundle of antithetical traditions in which voters took part without seeing the contradictions. Surveying bonds for office might well be a good place to chart an alternative history, in which deference and democracy did not clash, so much as they mixed and mingled together.³⁴

34. Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World* (New York, 2004), 3–25.

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