

“Reign of Terror”:

General Thomas C. Hindman and the Confederate Military State in Arkansas, 1862-1863

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“Future years will never know the seething hell and the black infernal background of countless minor scenes and interiors...of the Secession war; and it is best they should not – the real war will never get in the books.”

- Walt Whitman, Specimen Days

Introduction:

A Savior Arrives

On August 11, 1862, somewhere in Pulaski County, Arkansas, Major General Thomas Carmichael Hindman ordered a regiment of beleaguered Confederate troops to gather around. Before them, four of their peers stood anxiously. Only minutes earlier, these four men had been found guilty of desertion by a military tribunal of three officers. The trial was swift, little evidence was presented, and all four confessed their guilt. Soon after the verdict, General Hindman, the commander of the Confederate Trans-Mississippi District, ordered that the men be shot to death in the presence of their regiment. As four gunshots reverberated through the pine and oak forests of Central Arkansas, Hindman stood beside his men and watched the execution. He likely did not grimace, however, as the four lifeless bodies fell to the ground. Only ten days earlier, he had watched almost the same scene, though with five bodies lying on the ground instead of four. In Hindman's mind, these executions were firm but necessary. He wished to crush the "spirit of desertion" among his ranks, and he was prepared to do what had to be done, no matter how unpopular.¹

Only three months earlier, in May 1862, Thomas C. Hindman had first arrived in Arkansas as commander of the Trans-Mississippi District. Transferred by General P.G.T. Beauregard to save a vulnerable state and region, the thirty-four-year-old Hindman was initially

¹ *Report of Major General Hindman of his Operations in the Trans-Mississippi District* (Richmond, VA: R.M. Smith, Public Printer, 1864), 17; *Charges and Specifications Preferred August 23, 1862, by Brigadier General Albert Pike, Against Major Gen. Thos. C. Hindman* (Richmond, VA: Smith, Bailey & Co., Printers, 1863), 13.

welcomed as Arkansas's savior. His new position seemed fitting. He was widely respected as a general of tremendous ability and zeal, as well as a resident of Helena, Arkansas, and a former Arkansas Congressman. However, by March 1863, Hindman was eager to leave Arkansas for good, his state and his reputation in shambles.²

Hindman's turbulent story in the Trans-Mississippi Theater began with the March 1862 Union victory at the Battle of Pea Ridge in Northwest Arkansas. Having suffered defeat in the strategically critical battle, Confederate General Earl Van Dorn retreated eastward across the rain-drenched Ozark Mountains. By April, the native Mississippian and West Point graduate decided he had had enough of Arkansas. In addition to marching his entire Army of the West across the Mississippi River, Van Dorn directed all supplies and materiel in the state to be shipped to Memphis and all stores at the Little Rock arsenal to Vicksburg. The Confederate Army had effectively abandoned Arkansas. All the while, Union General Samuel Curtis, another West Pointer, and his Army of the Southwest remained in Southern Missouri, waiting for the proper moment to launch an offensive against a defenseless Little Rock. Easy capture of the capitol city would be the death knell of Confederate Arkansas and would, in due time, lead to easy Federal control of the Trans-Mississippi region.³

By May of 1862, Confederate Arkansas was in dire straights. In a proclamation that garnered a unanimously negative response, Governor Henry Massie Rector had even threatened to

² Beauregard defined the "Trans-Mississippi District" as Arkansas, Missouri, the Indian Territory, and Louisiana north of the Red River. See Diane Neal and Thomas W. Kremm, *Lion of the South: General Thomas C. Hindman* (Macon, Georgia: Mercer University Press, 1993), 162, 117.

³ William L. Shea and Earl J. Hess, *Pea Ridge: Civil War Campaign in the West* (Chapel Hill: University of North Carolina Press, 1992), 284-90; Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959), 314-15; Ezra Warner, *Generals in Blue: Lives of the Union Commanders* (Baton Rouge: Louisiana State University Press, 1964), 107-08.

secede from the Confederacy. He declared that if “the arteries of the Confederate heart do not permeate beyond the east bank of the Mississippi,” then the people of Arkansas would “build them a new ark and launch it on new waters.”⁴ Though Rector overplayed his hand by threatening secession, his concerns were grounded in reality. Confederate Arkansas *had* reached a breaking point. It had no army, no supplies, and no way to defend itself. The state needed a change of fortune, a savior perhaps, to deliver it from ruin.

Enter Thomas Carmichael Hindman. Appointed by Beauregard on May 26 to single-handedly rescue the state of Arkansas, and, indeed, the entire Trans-Mississippi Confederacy, from imminent capitulation, Hindman arrived in Little Rock determined to do what had to be done to mobilize a frontier state for war. Born January 28, 1828 in Knoxville, Tennessee, Hindman spent much of his childhood in Mississippi before moving to Helena, Arkansas, at the age of twenty-six to seek political opportunity. He quickly established himself within the state’s Democratic Party, winning the 1858 Congressional election in Arkansas’s eastern First District and emerging as the state’s most ardent secessionist fire-eater. When Arkansas seceded and joined the Confederacy in May 1861, Hindman followed suit and helped raise troops for what would eventually become the Second Arkansas Infantry Regiment. After a courageous performance leading a brigade of mostly Arkansas troops at Shiloh, the “noble and gallant” Hindman, as Braxton Bragg called him, was poised for success.⁵ Upon his appointment to defend the Trans-Mississippi District, it seemed his time had come.

The territory he had been appointed to defend was hardly hospitable. By the start of the Civil War, Arkansas was, in many ways, still a “frontier” state. It rested on the western edge of the

⁴ Little Rock, *Arkansas Gazette*, May 8, 1862.

⁵ Neal and Kremm, *Lion of the South*, 1-4, 21-22, 43-44, 87-89, 103, 111.

Confederacy, shielded to the east by the Mississippi River and exposed to the west by the Indian Territory. The second least populous Confederate state by a wide margin, besting only Florida, Arkansas's cotton-based economy had experienced a tremendous boom in the 1850s, particularly in the eastern Delta counties. Nonetheless, the state's economy remained comparatively feeble. Throughout the antebellum period, Arkansas struggled to establish reliable systems of transportation. Indeed, by 1861, only sixty-six miles of railroad track had been laid in Arkansas.⁶ Within the sparsely populated and rugged state, law enforcement was lax and violence flourished. Even respected politicians and planters turned to violence to settle scores, revealing widespread allegiances to blood feuds and Southern honor culture over established law.⁷ Arkansas was, thus, a literal and figurative borderland. It stood on the western edge of the Confederacy bordering the Indian Territory, a status that fulfills Frederick Jackson Turner's antiquated definition of the American frontier as "the outer edge of the wave – the meeting point between savagery and civilization."⁸ More figuratively, Arkansas stood isolated on the western side of the Mississippi River as a cultural and economic transitional region between the Southern slave economy and the

⁶ Preliminary Report on the Eighth Census, 37th Cong., 2nd sess., 1862, 134-35; For the best monograph on antebellum Arkansas, see Donald P. McNeilly, *The Old South Frontier: Cotton Plantations and the Formation of Arkansas Society, 1819-1861* (Fayetteville: University of Arkansas Press, 2000); See also Carl H. Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas: Persistence in the Midst of Ruin* (Baton Rouge: Louisiana State University Press, 1994), 14-34, 33; Jeannine M. Whayne, Thomas A. DeBlack, George Sabo III, and Morris S. Arnold, *Arkansas: A Narrative History* (Fayetteville: University of Arkansas Press, 2002), 138-42; Michael B. Dougan, *Confederate Arkansas: The People and Policies of a Frontier State in Wartime* (Tuscaloosa: University of Alabama Press, 1976), 2-5.

⁷ Dougan, *Confederate Arkansas*, 4-5; McNeilly, *The Old South Frontier*, 89-91; In an infamous example of Arkansas's culture of frontier violence, state House Speaker John Wilson used a Bowie knife to stab Representative J.J. Anthony on the floor of the House after a heated disagreement. The incident helped coin the Bowie knife, first designed in southwest Arkansas, as the "Arkansas toothpick," a nickname that reflected the violence and backwardness of early nineteenth century Arkansas.

⁸ Frederick Jackson Turner, *The Frontier In American History* (New York: Henry Holt and Company, 1920), 3.

undeveloped expanses of the Trans-Mississippi West. With comparatively feeble infrastructure, sparse population, largely uncultivated but fertile land, and an infantile slave economy, Arkansas was, as of 1861, still a “frontier” state.⁹ The rule of law was not fully developed nor was it widely respected, and homespun violence was widespread. The isolation of the state can be gathered simply by considering the delay in correspondence between Little Rock and Richmond during the war. For example, a letter sent from Hindman to the Confederate War Department on June 9 did not arrive in Richmond until June 27.¹⁰ In Little Rock, Hindman found himself in a sparsely populated, lawless, violent, and geographically rugged state that was detached from the Confederate high command and the Confederate military more broadly. He reported to no one but himself.

⁹ In his introduction to his work on the transformation of the frontier status of Kentucky in the early nineteenth century, Stephen Aron discusses the changing attitudes toward the term “frontier.” In his eye, the frontier can take on meanings of both “perimeter” and “intersection,” a geographic “borderland” and a cultural “crossroads.” In the American sense, the frontier was a crossroads between Anglo-American and Native American cultures. See Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore: The Johns Hopkins University Press, 1996), 2-3; This is similar to Richard White’s notion of a “middle ground” as “the place in between: in between cultures, peoples, and in between empires and the nonstate world of villages.” See Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991), x; Adam Rothman frames the “southern frontier” of the late 18th and early 19th centuries in the context of a “Jeffersonian civilizing mission”: spreading “civilized” republican agricultural society across a “savage” land. In this sense, perhaps more relatable to how white pioneers saw Arkansas in the early 19th century, the “frontier” becomes an expansive, undeveloped land of opportunity for the ambitious white slaveholder. See Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge, Mass.: Harvard University Press, 2005), 37-42; For a deeper investigation into the nascent Arkansas slave economy and how it contributed to Arkansas’s “frontier” status on the eve of the Civil War, see McNeilly, *The Old South Frontier*, 123-56.

¹⁰ Mark Neely discusses the importance of Hindman’s detachment from the Confederate high command in his chapter on Hindman entitled “The Rogue Tyrant and the Premodern State.” See Mark Neely, *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism* (Charlottesville: University of Virginia Press, 1999), 12.

But Hindman took his situation in stride and used his isolation to his advantage. As he declared on his first day as commander of the Trans-Mississippi District, Hindman had come to “drive out the invader, or to perish in the attempt.”¹¹ Ultimately, his tenure as commander would last exactly seventy-four days. In those roughly two months, however, Hindman was incredibly active, all with the unqualified goal of “driving out the invader” singularly in mind. To fully utilize available manpower, Hindman consolidated all state militia forces under his own command, established new infantry companies, and expanded the scope of the Confederate Conscripts Act of April 1862. He established strict price controls throughout the state, and he ordered the impressment and destruction of private cotton stores. Further contributing to the development of a self-sustaining military command economy, Hindman established state-sponsored manufacturing programs to provide materiel and supplies for the war effort. To maintain strict law and order in what he believed to be a nearly lawless state, Hindman declared martial law, established a military bureaucracy that answered only to himself, and divided the state into military districts. He appointed provost marshals throughout the state and suspended the writ of habeas corpus. Finally, realizing the lack of an effective military force within Arkansas, Hindman sanctioned the formation of independent partisan units and encouraged guerrilla warfare to halt the advance of the Union Army of the Southwest.¹²

¹¹ *The War of the Rebellion: Official Records of the Union and Confederate Armies* (Washington D.C. Government Printing Office, 1880-1902) Ser. I, Vol. 13: 830. (hereafter cited as O.R.)

¹² In broader Civil War historiography, the narrative of Hindman’s actions in Arkansas receives little consideration. Hindman receives only half a paragraph in James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 668; He is not mentioned at all in Earl J. Hess, *The Civil War in the West: Victory and Defeat from the Appalachians to the Mississippi* (Chapel Hill: University of North Carolina Press, 2012); Josephy incorporates Hindman’s military endeavors into his narrative, and he spends some time discussing the feud between Hindman and Pike. Still, he portrays Hindman as a marginal character. See Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Alfred A. Knopf, 1991), 348, 354-67.

The narrative of Thomas Hindman's active two months in Arkansas has been explored by almost every scholar of the Civil War in Arkansas. However, all of these studies stop short of deeply investigating the popular reactions to and statewide repercussions of Hindman's policies, nor do they consider their radical implications. Both John M. Harrell's entry for Arkansas in the *Confederate Military History* and David Y. Thomas's *Arkansas in War and Reconstruction* were written firmly in the tradition of the Lost Cause mythology of the Confederate war effort, and they stand as the first treatments of Arkansas's Civil War. Harrell and Thomas prove too narrow in their focus. They tend to ignore Hindman's promotion of guerrilla warfare as well as the full dimensions of his feud with Albert Pike regarding martial law.¹³ Thomas's work stood as the most authoritative treatment of Arkansas in the Civil War until the publication of Michael Dougan's *Confederate Arkansas: The People and Policies of a Frontier State in Wartime* in 1976. Unlike Harrell and Thomas who consider the military value of Hindman's actions almost exclusively, Dougan considers the effects of Hindman's actions upon local populations. By considering these forgotten perspectives, Dougan lays the foundation for a more critical consideration of Hindman grounded in the experience of ordinary Arkansans.¹⁴ Carl Moneyhon's *The Impact of the Civil War and Reconstruction on Arkansas: Resistance in the Midst of Ruin* presents one of the most complete portraits of Hindman's actions in the Trans-Mississippi District. Moneyhon hints at the radical nature of

¹³ In the epilogue, this drafting of an Arkansas Lost Cause is discussed in greater detail; John M. Harrell, *Arkansas*, vol. 10 in *Confederate Military History*, ed. Clement A. Evans, 12 vols. (Atlanta: Confederate Publishing Company, 1899), 100-02; David Y. Thomas, *Arkansas in War and Reconstruction* (Little Rock: Arkansas Division, United Daughters of the Confederacy, 1926), 185-88, 320.

¹⁴ Dougan, *Confederate Arkansas*, 93; In a 1973 article, Bobby Roberts considers Hindman's tenure in the Trans-Mississippi District. Roberts praises many of Hindman's policies except for the enactment of martial law, for which he saves harsh criticism. However, Roberts judges Hindman only according to military effectiveness, thus making his treatment too narrow. Bobby L. Roberts, "General T.C. Hindman and the Trans-Mississippi District," in *The Arkansas Historical Quarterly* 32, no. 4 (Winter 1973): 297-311, accessed August 4, 2016, JSTOR, 303-04, 310-11.

Hindman's actions, points to Hindman's authorization of partisan units as a critical point in the spread of guerrilla warfare throughout Arkansas, and places Hindman within the context of a deeply divided state.¹⁵

In 1993, Diane Neal and Thomas Kremm produced the first biography of Hindman: *The Lion of the South: General Thomas C. Hindman*. Broadly speaking, Neal and Kremm depict Hindman as a determined, hot-headed, semi-fanatical, but always brilliant force of nature. Regarding his actions in the Trans-Mississippi District, Neal and Kremm provide the most thorough synthesis of primary source material to date. They also provide a good, if somewhat dismissive, analysis of the opposition Hindman faced while in Arkansas. All in all, Neal and Kremm deliver a sweeping defense of Hindman's actions as fanatical but necessary. But, again, Neal and Kremm fail to consider the ramifications of Hindman's actions beyond the immediate defense of Little Rock. And they do little to contextualize his radical actions within the Confederate military experiment as a whole.¹⁶

Thus, both Thomas C. Hindman and the Civil War in Arkansas remain grossly understudied. No study dealing exclusively with Hindman has been published since the 1993 Neal and Kremm biography, a work that serves more to celebrate the man than to consider him critically. The work provides a comprehensive narrative of his life and service, but it does not wrestle with the weighty issues of martial law, military necessity, guerrilla warfare, and Confederate

¹⁵ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 108, 111; For more broad histories of the state in the Civil War see *Rugged and Sublime: The Civil War in Arkansas*, ed. Mark K. Christ (Fayetteville: University of Arkansas Press, 1994) and Jeannine M. Whayne et al., *Arkansas: A Narrative History*; The most cutting edge study of the Civil War in Arkansas to date is a collection of eleven essays that deal with the political, economic, and social dimensions of the war neglected by many previous historians. See *Civil War Arkansas: Beyond Battles and Leaders*, ed. Anne J. Bailey and Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 2000).

¹⁶ Neal and Kremm, *Lion of the South*, 133.

political identity that all emerge in considering Hindman's tenure as commander of the Trans-Mississippi District. Indeed, two recurring deficiencies emerge throughout the historiography of Hindman and of Arkansas's Civil War. First, previous historians tend to judge Hindman largely according to his success in defending Little Rock. This exclusively military consideration of Hindman ignores the heated response to his actions among the local populace and the deeper ramifications of his policies within Arkansas's Civil War. Second, previous historians, with a few exceptions, fail to place the narrative of Hindman's tenure in the Trans-Mississippi District in the context of the larger Confederate war effort and, thus, fail to grasp the radical implications of his wartime philosophy.¹⁷ This study attempts to revisit the complicated topic of Thomas Hindman's seventy-four day command by addressing these two shortcomings in previous historiography. It dedicates an entire chapter to considering the response and repercussions of Hindman's policies and deals extensively with the implications of Hindman's policies, particularly his use of martial law, guerrilla warfare, and a centralized bureaucracy.

In considering the emphatic but brief career of Thomas C. Hindman in the Trans-Mississippi, one must confront an array of pressing topics in contemporary Civil War historiography including martial law, conscription, desertion, disaffection, and irregular warfare. Emory Thomas and Mark Neely have contributed to these issues, particularly the question of the Confederate use of martial law. In *The Confederate Nation, 1861-1865*, Thomas considers the conflicts and contradictions at the heart of Confederate political identity and traces how its key

¹⁷ These criticisms apply exclusively to historians of Hindman himself and of Arkansas in the Civil War. Other works do consider Hindman in a broader context and serve to enrich the understanding of Hindman's policies. But these works tend to focus on only one aspect of his policies. As discussed later, such works include Mark Neely, *Southern Rights*, and Robert R. Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004).

tenets such as the doctrines of states rights and decentralized government fared through the cauldron of the Civil War. As Thomas eloquently states, the realities of the Confederate war effort forced Southerners “to slaughter some of the sacred cows...that had previously defined them as a people.”¹⁸ Hindman’s experience in Arkansas encountered the very conflict that Thomas discusses in the context of the Confederate nation as a whole.

Mark Neely’s *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism* further investigates the conflict at the heart of the Confederate war experience: the necessity of mobilization versus libertarian political culture. Neely argues that, despite the rhetoric of Confederate constitutionalism employed by Jefferson Davis and others, civil liberties were hardly sacred in the Confederacy and were, in fact, regularly undermined as a tool to facilitate modernization. Neely includes an entire chapter on Hindman’s actions in the Trans-Mississippi District in which he argues that Hindman’s sacrifice of civil liberties in Arkansas came about in an attempt to “modernize” and mobilize a largely underdeveloped state for war. Neely praises Hindman, despite his fanaticism, for successfully mobilizing a grossly unprepared state and creating “a minor economic miracle.”¹⁹ However, Neely takes Hindman’s report on his operations in the Trans-Mississippi at face value while dismissing General Albert Pike’s well-articulated arguments that Hindman’s actions promoted disaffection and desertion.²⁰ This study looks deeper

¹⁸ Emory M. Thomas, *The Confederate Nation, 1861-1865* (New York: Harper and Row Publishers, 1979), 32, 144; See also Emory M. Thomas, *The Confederacy as a Revolutionary Experience* (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1971), 59-60. Here, Thomas argues that the Civil War transformed the South from a “states rights confederation into a centralized, national state” through central policy decisions such as conscription, the declaration of martial law, and the establishment of a control economy.

¹⁹ Neely, *Southern Rights*, 9-10, 151, 11.

²⁰ These claims will be explored in full in the Second Chapter. See Albert Pike to Jefferson Davis, July 3, 1862, Albert Pike Papers, Arkansas State Archives.

at the conflict between Pike and Hindman and tests the claims they both made regarding how the suspension of habeas corpus affected the local community.

To test these claims, this study must consider questions of desertion and disaffection, both challenging topics to handle in Arkansas given the lack of primary source material. One early work in this realm of study is Albert Moore's *Conscription and Conflict in the Confederacy*. As the title suggests, Moore considers the system of conscription in the Confederate States and the conflict it produced among local populations. Moore recognizes the inherent contradiction of maintaining a sense of states rights constitutionalism while mobilizing a centralized military state through conscription. In his attempts to broaden the conscription requirements throughout Arkansas, Hindman encountered the exact resistance that Moore discusses.²¹

The first study on desertion came with the groundbreaking 1928 work *Desertion During the Civil War* in which Ella Lonn argues that desertion had a significant impact in the ultimate demise of the Confederacy. She considers the various causes of desertion in the Confederate Army including lack of soldier's pay, the threat of invasion back home, and disaffection among local populations back home.²² Mark Weitz's *More Damning Than Slaughter: Desertion in the Confederate Army* of 2005 is one of only a handful of monographs dealing with desertion since Lonn's 1928 work. By attempting to connect quantitative and qualitative data, Weitz argues that desertion was an important contributing factor to the Confederacy's demise, both militarily and otherwise. Weitz argues that, in addition to disrupting military efforts, desertion "undermined the welfare and

²¹ Albert Burton Moore, *Conscription and Conflict in the Confederacy* (New York: The Macmillan Company, 1924), 4.

²² Ella Lonn, *Desertion During the Civil War* (New York: The Century Co., 1928), 10-11, 18, 19.

safety of the civilian communities.”²³ Weitz devotes much consideration to Hindman’s attempts to weed out rampant desertion in Arkansas and argues that his harsh measures were effective.²⁴ The primary weakness with his work is that Weitz essentially takes Hindman at his word regarding the decreasing regularity of desertion throughout the summer of 1862. This study, on the other hand, attempts to test Hindman’s own assumptions by investigating quantitative and qualitative accounts of desertion in Arkansas during and after Hindman’s tenure.

In considering the topic of disaffection in the Confederacy, one must start with Georgia Lee Tatum’s *Disloyalty in the Confederacy*. In this bold 1934 work, Tatum argues that considerable disaffection arose in every Confederate state, particularly with respect to controversial Confederate policies such as conscription and martial law.²⁵ Carl Moneyhon contributes a local study on disaffection with his 1993 article, entitled “Disloyalty and Class Consciousness in Southwestern Arkansas, 1862-1865.” Looking to the rhetoric of local citizens and reports coming from Confederate commanders, Moneyhon examines the wave of disaffection that swept across Southwest Arkansas beginning in the winter of 1862 and 1863, much of it driven by lower class grumblings with conscription and martial law.²⁶ Moneyhon does mention Hindman, but according to my research, Moneyhon dismisses him prematurely. Indeed, Hindman’s introduction of

²³ Mark A. Weitz, *More Damning than Slaughter: Desertion in the Confederate Army* (Lincoln: University of Nebraska Press, 2005), xix.

²⁴ *Ibid.*, 202.

²⁵ Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill: University of North Carolina Press, 1934), 13, 20, 3; For more on internal division and unionism, see also David Williams, *Bitterly Divided: The South’s Civil War* (New York: The New Press, 2008); William W. Freehling, *The South vs. The South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (New York: Oxford University Press, 2001).

²⁶ Carl H. Moneyhon, “Disloyalty and Class Consciousness in Southwestern Arkansas,” in *Civil War Arkansas: Beyond Battles and Leaders*, ed. Anne J. Bailey and Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 2000), 117-23.

conscription seems to have been instrumental in driving Southwestern Arkansas into a fury of disaffection and discontent.

It is impossible to understand the actions of Thomas C. Hindman without confronting the issue of irregular warfare. But, despite the integral role of irregular warfare in understanding the progress of the war in Arkansas, only in the past few decades have historians given this side of the war its due. Daniel Sutherland has emerged as one of the preeminent historians of guerrilla warfare, particularly in the Trans-Mississippi West. In *Guerrillas, Unionists, and Violence on the Confederate Home Front*, Sutherland presents a series of essays considering the “bloody internal struggle to control the Confederate home front.”²⁷ The collection includes a chapter on the guerrilla war in Arkansas by Robert Mackey. Here, Mackey argues that most of the Civil War in Arkansas was fought as an irregular guerrilla conflict. As Mackey rightly points out, guerrilla warfare became a last resort for Confederate leaders in their attempt to protect Arkansas from Union invasion, particularly on the part of Thomas Hindman. But he argues that, in sanctioning guerrilla warfare, Confederate officials created a menace that they could not control.²⁸ Mackey revisits the subject in his 2004 work *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865*. In this monograph, Mackey considers the use of irregular warfare in the upper south with an eye toward how it affected Confederate and Union military policy. Indeed, Mackey argues that, though Hindman’s decision to sanction guerrilla units may have protected Little Rock from Union invasion, it also alienated many residents and grew into a conflict that lasted long after Hindman left the state.²⁹

²⁷ *Guerrillas, Unionists, and Violence on the Confederate Home Front*, ed. Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 1999), 3.

²⁸ *Ibid.*, 171-72.

²⁹ Mackey, *Uncivil War*, 34, 49.

Sutherland's 2009 work, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War*, makes a compelling and impassioned case for the inescapable significance of guerrilla warfare to any understanding of the Civil War. Arguing that irregular conflict influenced both how the war was fought and its outcome, Sutherland maintains a keen eye toward how the guerrilla war cultivated disaffection, promoted anti-confederate sentiment, threatened southern moral, and ravaged the home front. Dedicating much time to Arkansas and the Trans-Mississippi West, Sutherland portrays a state sliding into an abyss of guerrilla warfare by 1863. This unchecked violence and vague sense of allegiance contributed to disaffection and war-weariness throughout Arkansas.³⁰ Sutherland pays less attention to Hindman's actions than does Mackey. But, together, these two historians of guerrilla warfare point toward the critical importance of Hindman's 1862 policy to sanction independent guerrilla companies.

In pursuing his unqualified goal of protecting Confederate rule in Little Rock above all else, Thomas Hindman established a centralized military state in Arkansas and the Trans-Mississippi West in an effort to mobilize what was an underdeveloped frontier region for war. Within this isolated setting, Hindman worked tirelessly to consolidate and centralize all civilian and military efforts to construct a well-oiled military bureaucracy. This process of centralization went far beyond the declaration of martial law and suspension of habeas corpus. His appointment of provost marshals throughout Arkansas, all of them reporting back to him, was the equivalent of a broad military bureaucracy with Hindman himself at the helm. Furthermore, his involvement in the state economy, including the setting of price controls, restrictions on currency, development of state-sponsored industry, and encouragement of state-sponsored home manufacturing, signaled a

³⁰ Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 135, 213.

broad intervention in civilian activities in Arkansas. In pursuing these activist policies, Hindman knew full well that he was exceeding the authority granted to him by General Beauregard. Nonetheless, he justified his energetic policies using the principle of military necessity.

The profound irony of Hindman's centralized military state is that he used unregulated, extralegal activity to accomplish his military goals. Juxtaposed against his efforts to centralize through martial law and conscription, he also initially encouraged and officially sanctioned the formation of independent guerrilla companies to prevent the Union Army of the Southwest from penetrating into Central Arkansas. Ultimately, Hindman's decision to rely on guerrilla warfare to fight Curtis's Army of the Southwest was successful in the short run but a costly error in the long run. Considering the lack of manpower and resources in Arkansas, encouraging individuals to fight the Federals on their own must have seemed the best option available to Hindman at the time. However, Hindman quickly seemed to realize that, in promoting guerrilla warfare, he had created something that he could not control. This premonition proved to be correct. By the time Hindman left Arkansas in the spring of 1863 after the Battle of Prairie Grove, guerrilla violence had engulfed the state. This violence, which continued in Arkansas until the end of the war, must be traced back to Hindman's policies in June and July of 1862.³¹

Hindman's creation of a military state in Arkansas did not come without provoking a negative uproar among Arkansas civilian leaders as well as several unintended repercussions. Indeed, his full declaration of martial law on June 30, 1862 provoked heated responses from

³¹ Regarding the engulfing of the state in guerrilla violence post-Hindman, see Sutherland, *A Savage Conflict*; Mackey, *The Uncivil War*, particularly chapters one and two; and *Guerrillas, Unionists, and Violence on the Confederate Home Front*, ed. Daniel E. Sutherland, particularly Mackey's chapter entitled, "Bushwhackers, Provosts, and Tories: The Guerrilla War in Arkansas"; On Hindman's critical role at Prairie Grove, see William L. Shea, *Fields of Blood: The Prairie Grove Campaign* (Chapel Hill: University of North Carolina Press, 2009).

throughout the Trans-Mississippi Theater, including, most forcefully, from General Albert Pike in the Indian Territory. Furthermore, Hindman's declaration of martial law and enforcement of conscription contributed to the spread of disaffection among the local Arkansas populations and desertion among Confederate forces in the state after his tenure came to an end in August 1862.³²

Ultimately, Thomas Hindman's experiment with a Confederate military state in Arkansas revealed the limits of the Confederate national experiment more broadly. To fight a war against a well-manned and determined enemy, the isolated, under-populated, and economically feeble Confederate Arkansas had to be mobilized to fight. Hindman went about this through the construction of a centralized military state and the encouragement of guerrilla warfare. But the resistance he encountered revealed how deeply these actions tread against the political culture of the Old South, a culture grounded in claims of states rights, decentralized government, and narrow constitutionalism.³³ Paul Escott has explored how Jefferson Davis confronted this very conundrum in *After Secession: Jefferson Davis and the Failure of Confederate Nationalism*. Escott argues that Davis understood the lengths to which he had to construct a strong central government to meet the challenge of war. But, in exercising every ounce of power the Confederate constitution gave him, Davis "raised fundamental questions about the nature and purpose of the southern nation." Quickly, southerners so long weary of shows of governmental authority "cried that the central government was subverting the purposes for which the [Confederacy] had been

³² For the best biography of Albert Pike to date and a detailed narrative of Pike's feud with Hindman, see Walter Lee Brown, *A Life of Albert Pike* (Fayetteville: University of Arkansas Press, 1997), 401-16; See also Diane Neal and Thomas W. Kremm, "Crisis of Command: The Hindman/Pike Controversy over the Defense of the Trans-Mississippi District," in *The Chronicles of Oklahoma* 70 (Spring 1992): 26-45.

³³ Emory Thomas grounds his discussion of "the states rights political theory so closely associated with the Old South" in the rhetoric of John C. Calhoun. Thomas argues that this "cultural nationalism" in the Antebellum South translated directly into the ideological foundations of the Confederate nation. See Thomas, *Confederate Nation*, 32-37.

established.”³⁴ Hindman’s brief experience as commander of the Trans-Mississippi encapsulated this central conflict at the heart of the Confederate nation. He understood the necessity of mobilizing and centralizing Arkansas to fight an imminent and potentially disastrous war. However, such activist policies conflicted with what many Arkansans believed that the Civil War was being fought over in the first place. Ultimately, to substitute for the limits of his military state, Hindman turned to guerrilla warfare to fight his war, a decision that sealed the state of Arkansas to a violent fate.

Through a consideration of this broad historiographical foundation and careful analysis of primary source material from both military and civilian perspectives, this thesis examines the seventy-four day tenure of General Thomas C. Hindman as commander of the Trans-Mississippi District, the policies he pursued during this brief but productive period, the reaction to his actions, and the ultimate repercussions of his actions through 1863. This thesis argues that, with his ambitious goal of mobilizing an underdeveloped frontier state for wartime and preventing the Union capture of Little Rock, Hindman established a centralized military state in Arkansas.

The first chapter presents a succinct narrative of Hindman’s policy and military decisions from his arrival in Little Rock on May 31, 1862, to his demotion and replacement by Theophilus Holmes on August 12, 1862. The chapter examines Hindman’s implementation of a broadened conscription throughout Arkansas, his pursuit of a state-regulated command economy, his declaration of martial law and establishment of a centralized bureaucracy to manage civilian affairs, and his sanctioning of independent partisan units and encouragement of guerrilla warfare to fend

³⁴ Paul D. Escott, *After Secession: Jefferson Davis and the Failure of Confederate Nationalism* (Baton Rouge: Louisiana State University Press, 1978), 54.

of the Union Army of the Southwest. The chapter closes with Hindman's quiet demotion by Jefferson Davis in August.

The second chapter examines the reaction to and repercussions of Hindman's actions as commander of the Trans-Mississippi District from the twilight of Hindman's tenure through the end of 1863, months after Hindman's transfer to the eastern theater in March 1863. Of particular importance in this chapter is the feud between Thomas Hindman and General Albert Pike in the Indian Territory, a disagreement that initiated over questions of jurisdiction but escalated to a broad debate over the nature of civil liberties in wartime and of Confederate national identity. Furthermore, the chapter explores the criticisms of Hindman's foes in Arkansas, both civilian and military, wealthy and poor, and explores the impact of Hindman's policies upon desertion, disaffection, and the spread of guerrilla warfare in wartime Arkansas. Finally, the chapter closes with a consideration of Richmond's tepid response to Hindman's actions in 1863, despite the vocal criticism among the Arkansas delegation to the Confederate Congress, and an exploration of Hindman's actions post-Arkansas. He never seemed to recover from the voracious denunciations leveled at him during and after his tenure in the Trans-Mississippi, criticisms he carried with him after the war and to his ultimately violent end.

I. "To Drive Out the Invader":

Building a Military State in Confederate Arkansas

On May 31, 1862, as he arrived at his new headquarters in Little Rock, General Thomas C. Hindman issued his first declaration as commander of the Trans-Mississippi District. In it, he outlined what he expected both of himself and of the citizens and soldiers within his jurisdiction. Hindman was unequivocal; he would accept nothing short of victory. "I have come to drive out the invader," Hindman declared, "or to perish [sic] in the attempt." He expected every officer to execute "the orders given him with promptness, fidelity, and courage," every soldier to obey "the orders he receives without question and without murmur, whatever the hardships involved," and every citizen to contribute "to the army's support even to the last dollar which they possess [sic]" and "adhere to the Confederate cause under every difficulty." Furthermore, Hindman declared that he would "assume every responsibility necessary" to ensure the survival of the Confederate cause in Arkansas in the face of approaching Federal forces under Samuel Curtis.¹ A West Point graduate, distinguished Mexican War veteran, and former Congressman, Curtis reached his pinnacle of military achievement at the Battle of Pea Ridge in March 1862. He hoped to continue his winning ways with an invasion of Confederate Arkansas and an eventual capture of Little Rock.² On Hindman's shoulders rested the fate of an entire state, and military necessity would dictate his decisions. As he suggested in his May 31 proclamation, the citizens and soldiers of the Trans-Mississippi District could expect nothing but the swiftest and firmest course of action.

¹ *The War of the Rebellion: Official Records of the Union and Confederate Armies* (Washington D.C. Government Printing Office, 1880-1902) Ser. I, Vol. 13: 830. (hereafter cited as O.R.)

² Ezra Warner, *Generals in Blue: Lives of the Union Commanders* (Baton Rouge: Louisiana State University Press, 1964), 107-08.

Indeed, as Judge John C. Brown of Camden foretold in his diary, Hindman was “determined to make his mark for weal or for woe.”³

With this terse and theatrical manifesto, Thomas Hindman began his seventy-four day tenure as commander of the Trans-Mississippi District. Ultimately, he would prove to be essentially successful in his singular goal of driving out the invader. Though Curtis’s Army of the Southwest eventually plodded their way to the Mississippi River port of Helena, Hindman’s organization of new regiments throughout Arkansas and his promotion of independent guerrilla units under his General Orders No. 17 prevented Curtis’s forces from advancing beyond the White River and kept Little Rock safe from Union Army pressure. In two months, Hindman worked to mobilize the state for war, and, in the short term, his sheer efficiency was remarkable. As Mark Neely rightfully assessed, Hindman “mobilized this prostrate state and created a minor economic miracle.”⁴ Working with determination, a complete disregard for civil liberties and constitutionality, and little communication with his superiors, Hindman transformed a sparsely populated, underdeveloped “frontier” state into a centralized wartime police state protected by guerrilla warfare. However, in doing so, Hindman stoked the flames of disaffection within Arkansas, tarnished his reputation throughout the Confederacy, and ushered the state into a period of prolonged guerrilla violence. Though largely successful in the short run, Hindman’s actions had unanticipated long-term consequences.

As the Federal forces under Curtis entered northeastern Arkansas in May of 1862, the few Confederate leaders remaining in Little Rock feared for the worst. Governor Henry Rector, elected in 1860 for his command of oratory but had since grown unpopular for his bumbling timidity in

³ O.R., I.13: 830; Judge John Brown Diary, June 11, 1862, Arkansas State Archives.

⁴ Mark Neely, *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism* (Charlottesville: University of Virginia Press, 1999), 11.

action, gathered the state archives and fled the capitol city.⁵ Brigadier General John S. Roane, the only remaining Confederate officer in the state, wrote to his superior on May 10 and pleaded for assistance. Roane declared to General P.G.T. Beauregard, then in command of the Confederate Army of the West, that there were “No troops – no arms – no powder – no material of war – people everywhere eager to rise, complaints bitter.”⁶ Several days later, on May 26, Beauregard transferred the young and daring Thomas Carmichael Hindman, who had fought under him valiantly at Shiloh to take command of the forces in Arkansas “at the earnest solicitation of the people.” Beauregard charged Hindman with the defense of the state and authorized him to organize troops there under the auspices of the first Confederate conscription act of April 16, 1862.⁷ The next day, Beauregard clarified Hindman’s jurisdiction as the “Trans-Mississippi District,” which included Missouri, Arkansas, Louisiana west of the Red River, and the Indian Territory – a massive area of more than two hundred thousand square miles.⁸

Only a few weeks removed from his impressive performance as a brigade commander at Shiloh, Hindman was stationed in Corinth, Mississippi, at the time with Braxton Bragg’s Army of the Mississippi. Upon receiving Beauregard’s orders, Hindman, traveling by himself, promptly departed for Arkansas via Memphis. Undoubtedly aware of Arkansas’ material desperation, Hindman stopped in Memphis to acquire supplies. He impressed thirty-five Enfield rifles, four hundred shotguns and sporting rifles, and two hundred rounds of ammunition. In addition, Hindman acquired shoes, blankets, camp equipment, and medicine. Claiming to have permission

⁵ Michael B. Dougan, *Confederate Arkansas: The People and Policies of a Frontier State in Wartime* (Tuscaloosa: The University of Alabama Press, 1976), 20-22; William L. Shea and Earl J. Hess, *Pea Ridge: Civil War Campaign in the West* (Chapel Hill: University of North Carolina Press, 1992), 296.

⁶ Shea and Hess, *Pea Ridge*, 296.

⁷ O.R., I.10.2: 547.

⁸ O.R., I.13: 28.

from Beauregard, Hindman also impressed over one million dollars in Confederate currency from local banks. Furthermore, Hindman sent two of his staff officers to Grenada, Jackson, and Columbus to perform a similar sweep of available war materiel and seize them for use in Arkansas. At a final stop in Helena, Hindman again seized all the ammunition, shoes, blankets, and medicine he could find. Finally, after a few days of gathering materiel, Hindman arrived in Little Rock on May 30.⁹

The situation as he arrived in Arkansas was disappointing. Hindman described his reactions in his *Report of Major General Hindman of his Operations in the Trans-Mississippi District*, a document he compiled in the summer of 1863 as a narrative of the actions undertaken during his two months as commander of the Trans-Mississippi as well as a justification of them. In the report, Hindman claimed that, upon his arrival, Curtis' Army of the Southwest was only thirty-five miles from Little Rock. This, however, is an exaggeration. Throughout May of 1862, Curtis was stationed near Batesville, around eighty-five miles north of Little Rock. Curtis's attempts to send divisions south of the Little Red River at Searcy (about sixty miles north of Little Rock) were repeatedly stalled by guerrilla raids, logistical blunders, and geographic challenges. By June, Curtis had called all of his forces back to Batesville and began focusing his operations along the White River.¹⁰ Thus, the Federal advance was not "thirty-five miles from Little Rock," but, rather, sixty

⁹ *Report of Major General Hindman of his Operations in the Trans-Mississippi District* (Richmond: R.M. Smith, 1864), 6; Diane Neal and Thomas W. Kremm, *Lion of the South: General Thomas C. Hindman* (Macon, Georgia: Mercer University Press, 1993), 110-14, 117-18; Such wanton impressment of materiel was hardly uncommon among Confederate armies. Commanders frequently took what they needed from local citizens, providing the owners with certificates promising future repayment from the Confederate government. The Confederate Congress later codified this practice in March 1863. See Paul D. Escott, *Military Necessity: Civil-Military Relations in the Confederacy* (Westport, Connecticut: Praeger Security International, 2006), 29; and Emory M. Thomas, *The Confederate Nation, 1861-1865* (New York: Harper and Row Publishers, 1979), 196.

¹⁰ *Report of Major General Hindman*, 8; Shea and Hess, *Pea Ridge*, 297-300.

miles. Regardless of distance, the lack of organized Confederate resistance left Little Rock exposed to a Union advance. The situation within Little Rock itself did not inspire confidence either. Hindman found only eight companies of Arkansas infantry under the command of General Roane when he arrived in the capital city, all of them unarmed. Furthermore, he counted only a single six-gun battery, around two thousand damaged shotguns and rifles, and less than fifteen hundred cavalry, many of them unarmed Texans. By Hindman's estimation, this force had roughly three days' worth of sustenance and less than fifteen rounds of ammunition per soldier. Indeed, he claimed there to be "no depots of supplies in the district" whatsoever.¹¹

On May 31, within a day of his arrival, Hindman declared his assumption of the command of the Trans-Mississippi District and named his staff.¹² He also issued his "drive out the invader" circular, thus setting a tone of immediacy and determination that he would maintain throughout the entirety of his tenure.¹³ To deal with the lack of sheer manpower in Little Rock, Hindman also wrote to Brigadier General Albert Pike in the Indian Territory and ordered him to move his "entire infantry force of whites, together with one six-gun battery...with at least 120 men, to this place, without the least delay." Hindman ordered Pike to send with the men 100 rounds of ammunition altogether and sufficient sustenance for the at least two-hundred-mile journey to Little Rock. Hindman believed these orders to be well within his jurisdiction as commander of the Trans-Mississippi District, and he declared them in an accordingly matter-of-fact manner.¹⁴ Pike, however, did not share Hindman's conviction, and he quickly launched a pen-and-paper campaign against Hindman that would follow the two men for the rest of their lives.

¹¹ O.R., I.13: 833; *Report of Major General Hindman*, 8.

¹² Little Rock *True Democrat*, June 5, 1862.

¹³ *Ibid.*; O.R., I.13: 830.

¹⁴ O.R., I.13: 934.

The wartime conflict that erupted between Albert Pike and Thomas Hindman in the summer of 1862 began as a jurisdictional dispute but quickly grew into a more hearty debate over the ideological underpinnings of the Confederate war effort. Their disagreement was not a matter of poor first impressions, however. Rather, the opening act of this conflict occurred a decade prior, on the political battlefields of antebellum Arkansas. In the summer of 1855, less than a year removed from first moving to Arkansas from Mississippi to pursue political opportunity in the relatively underdeveloped state, a twenty-seven year old Hindman set his sights on countering the growth of the Know Nothing Party in his newly adopted state. A fiercely pro-slavery Democrat, Hindman believed that the new Nativist party, with its ties to northern abolitionists, presented a threat to Democratic hegemony in Arkansas. The leader of the Arkansas Know Nothing movement, which appealed to former Whigs and some moderate Democrats, was none other than Albert Pike.¹⁵ A resident of Arkansas since 1833 and a well-respected writer and intellectual, Pike had been an established leader in the Arkansas Whig Party and a fierce opponent of Democratic supremacy in the state when he took the reins of Know-Nothingism.¹⁶ Ultimately, the Democrats pummeled the Know Nothing candidates in the 1856 statewide elections, catapulting Hindman, a fiery and convincing orator, to the forefront of Arkansas politics and leaving Pike in his wake.¹⁷ Four years later, in the fall of 1861, Pike was commissioned by the Confederate government as a brigadier general to organize treaties with Native American tribes in the Indian Territory and

¹⁵ Neal and Kremm, *The Lion of the South*, 27-29.

¹⁶ Jeannie M. Whayne, et al., *Arkansas: A Narrative History* (Fayetteville: University of Arkansas Press, 2002), 110, 116-17; See also Walter Lee Brown, *A Life of Albert Pike* (Fayetteville: University of Arkansas Press).

¹⁷ Neal and Kremm, *The Lion of the South*, 33-35; James Woods, *Rebellion and Realignment: Arkansas's Road to Secession* (Fayetteville: University of Arkansas Press, 1987), 63.

command the small army of troops he mustered therein.¹⁸ At the time of Hindman's appointment by Beauregard to the Trans-Mississippi District, Pike was worn down after months of negative publicity regarding atrocities committed by Indian troops under his command at the Battle of Pea Ridge. After Pea Ridge, Pike retreated back into the Indian Territory and established his headquarters at Fort McCulloch where he led two regiments of Texas cavalry, one regiment of Arkansas infantry, and two companies of artillery.¹⁹ As Pike quietly commanded his troops in the Indian Territory with seeming autonomy, developments in Little Rock soon embroiled him in a war of public opinion that would end his career.

The already established animosity between Pike and Hindman reignited with Hindman's May 31 order directing Pike to send all of his white troops to Central Arkansas. Hindman cited the imminent "danger to the very heart of Arkansas" in necessitating the troop movement.²⁰ When the letter arrived at Fort McCulloch on the evening of June 8, Pike quickly drafted a heated response. Though he begrudgingly agreed to the troop movements, Pike found Hindman's attempt to usurp his own authority and command the Indian Territory from afar to be egregiously insulting. Left with only a "handful of men," Pike declared that Hindman's "giving orders at a distance" would "likely...do more harm than good" and was "unwarranted by law and justice."²¹ Hindman responded to Pike's loquacious letter on June 21. Though he respected the "embarrassment" caused by his orders, Hindman claimed to issue them out of "absolute necessity"

¹⁸ Brown, *A Life of Albert Pike*, 228, 372; Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959), 240.

¹⁹ Around March 15, reports emerged that Native American troops under Pike's command had scalped at least one dead Federal soldier in the aftermath of Pea Ridge. See Brown, *A Life of Albert Pike*, 396-97, 403.

²⁰ O.R., I.13: 934.

²¹ O.R., I.13: 936-43.

and, in turn, expected Pike to appreciate the precariousness of the situation in Little Rock.²² On June 24, Pike agreed to “obey all lawful orders received” from Hindman, but not without making his complaints known to Hindman’s superiors.²³

Two days later, Pike penned the first of nine letters to members of the Confederate high command in Richmond, namely Secretary of War George W. Randolph and President Jefferson Davis, in an attempt to illuminate what he believed to be a gross overreach of jurisdiction. At the heart of this disagreement, however, is a miscommunication. Given that the orders from Beauregard clearly included the Indian Territory in his area of command, Hindman had no reason to doubt his authority to give orders to Pike regarding troop movements.²⁴ Pike, however, did have reason to doubt this authority because, as he cited in his June 8 letter, he never received any information regarding a command change or demotion.²⁵ With no reason to think any differently, Pike viewed Hindman’s orders regarding troop and materiel movements as a wanton overstepping of jurisdictional lines. Indeed, in his June 27 letter to Randolph, Pike complained of Hindman’s seizure of guns and ammunition within his jurisdiction, an example of what Pike believed to be a “system of despoiling [his] command.”²⁶ In another letter on June 30, Pike again accused Hindman of “depriving me of my command.”²⁷ Though founded in a genuine misunderstanding between

²² Abstract of letter from Thomas C. Hindman to Albert Pike, June 21, 1862, in Papers of Thomas C. Hindman, National Archives and Records Administration, Washington D.C. (hereafter cited as Hindman Papers, NARA).

²³ O.R., I.13: 947.

²⁴ Beauregard defined the Trans-Mississippi District as “The States of Missouri and Arkansas, and that portion of the State of Louisiana north of Red River, and the Indian Territory.” See O.R., I.13: 28.

²⁵ O.R., I.13: 942.

²⁶ O.R., I.13: 847.

²⁷ O.R., I.13: 849.

Pike and Hindman over the bounds of their respective commands, one also senses Pike's significant egotism in his refusal to take orders from anyone but himself.

Hindman's call for troops from the Indian Territory, though received poorly by Pike himself, did reflect the most critical deficiency in the Confederate war effort in Arkansas: the lack of sufficient manpower. On June 2, Hindman set out to address this issue by abolishing separate military jurisdictions within the state, establishing new infantry companies, and setting guidelines for a broad conscription.²⁸ The consolidation of all state forces into a singular Confederate force came about only after Hindman wrote Governor Rector and threatened to both draft state troops into Confederate service and impress state supply stores if the Governor resisted the transfer.²⁹ The resulting executive proclamation by Governor Rector and the President of the State Military Board was issued on June 2, the same day as Hindman's General Orders No. 2. In two sentences, Rector ordered that all Arkansas state troops be "transferred to the Confederate service" and "report for duty to Maj. Gen. Hindman."³⁰ Thus, Hindman immediately usurped Rector's military authority as governor and assumed control of all Confederate military forces in the state. He then ordered that all white males between the ages of 18 and 35 residing in Arkansas must, by June 20, "enroll themselves as members of volunteer infantry companies, for the Confederate service" for the entirety of the war. These new infantry companies would consist of between 100 and 125 men, would have the authority, if formed before June 20, to elect their own officers, and would later be organized into regiments or battalions. Furthermore, as a precaution against desertion, the elected captains of these companies were not allowed to grant leaves of absence for any length greater than

²⁸ O.R., I.15: 780-81; *True Democrat*, June 5, 1862

²⁹ *Report of Major General Hindman*, 9.

³⁰ *True Democrat*, June 5, 1862.

five days, and any enlisted or drafted infantryman found outside the county in which he enrolled was to be declared a deserter.³¹

In establishing new infantry companies, Hindman disobeyed the specific orders given him by Beauregard only a few days before to organize Arkansas' troops under the first Confederate conscription act of April 16, 1862.³² This act, the first of its kind in American history, obligated white men between the ages of 18 and 35 to three years of service in the Confederate army. The act designated local officers to assist with the enrollment of conscripts, but these conscripts were to be assigned to companies already in service within each state. Once existing units were filled to capacity, the excess enrollees were to be held in reserve. Thus, the authority to unilaterally organize new regiments rested only with the President and the Secretary of War, not local commanders such as Hindman.³³ In his 1863 report, Hindman acknowledged that he had violated the orders given him by Beauregard. However, lacking any rapid communication lines, he argued that writing to Richmond to ask for permission to raise new regiments would waste time and amount to a "surrender to the enemy." Thus, Hindman resolved himself to "accept the responsibility...of raising and organizing a force without authority of law." He believed that, in doing so, he was straying from the letter of the law but adhering to the spirit of the law, that being, above all else, the maintenance of "public safety."³⁴ Thus, Hindman believed that military necessity could justify his disregard of the law and the chain of command.

³¹ OR, I.15: 780-81; *True Democrat*, June 5, 1862. It is sharply ironic that Hindman referred to these companies to be forcibly formed by conscription as "volunteer" infantry companies.

³² OR, I.10.2: 547.

³³ Albert Burton Moore, *Conscription and Conflict in the Confederacy* (New York: The MacMillan Company, 1924), 15; Thomas, *The Confederate Nation*, 152-53.

³⁴ *Report of Major General Hindman*, 8.

Hindman's General Orders No. 2 reiterated the conscription requirements first enacted by the April 16 Confederate Conscripts Act with an eye toward fully mobilizing the Arkansas white male population. As opposed to the congressional act, Hindman's proclamation declared that able-bodied substitutes would not "in any case, be accepted."³⁵ Similar to the April 16 act, Hindman included a long list of groups exempt from conscription. These included civic officials, religious ministers, teachers, mailmen, nurses, and members of other essential professions.³⁶ Hindman did, however, add to this list. The most significant example was the exemption of certain people engaged in the production of wool, cotton, war materiel, salt, leather, and bread, as well as the exemption of "overseers upon plantations owned by widows or minors, or by officers or soldiers in the Confederate service, when there is no other white male person on such plantation capable of managing the same," given that these plantations were involved in the production of grain.³⁷ These types of exemptions, all with an eye toward military production, suggest an effort to maximize the productive capabilities of Arkansas. However, the exemption of overseers and producers of cotton could also be interpreted as an attempt to protect the planter class from conscription. As Moneyhon points out, this type of classist interpretation of exemption provisions would contribute to the growing sense of disaffection in Southwest Arkansas in the later months of 1862.³⁸

Hindman realized that success in Arkansas would only come by establishing a degree of economic self-sufficiency within the state. He believed that, given the geographic isolation of the

³⁵ Moore, *Conscription and Conflict*, 15; *True Democrat*, June 5, 1862.

³⁶ Moore, *Conscription and Conflict*, 53; *True Democrat*, June 5, 1862.

³⁷ *True Democrat*, June 5, 1862.

³⁸ Carl H. Moneyhon, "Disloyalty and Class Consciousness in Southwestern Arkansas, 1862-1865" in *Civil War Arkansas: Beyond Battles and Leaders*, ed. Bailey and Sutherland (Fayetteville: University of Arkansas Press, 2000), 121.

state, the Arkansas war effort could not effectively be supplied by Confederate forces east of the Mississippi River. With that in mind, Hindman set out to make his district, or at the very least his state, “completely self-sustaining.”³⁹ Beginning with his General Orders No. 4 issued on June 2, Hindman took steps toward constructing a centralized command economy in Arkansas. Having heard repeated reports of extortion and speculation running rampant throughout the state, Hindman required all Arkansans to accept Confederate currency. Furthermore, he established price controls on food and medical products. Any violation of these set prices would be considered treasonous and would be dealt with accordingly.⁴⁰ Beyond regulation and price rationing of consumer goods, Hindman also initiated an ambitious manufacturing and production program. As outlined in his report, Hindman adopted measures for the state-driven production of war materiel and equipment such as salt, leather, shoes, wagons, powder, gun carriages, and bullets. On the Ouachita River near Arkadelphia, around sixty miles southwest of Little Rock, Hindman constructed a chemical laboratory and manufacturing center which specialized in the manufacture of haversacks, knapsacks, cartridge boxes, bullets, percussion caps, and gun powder as well as the production of medicinal chemicals such as calomel, castor oil, tinctures of iron, and spirits of niter. Hindman also opened iron and lead mines in Sevier County and Pulaski County as well as manufacturing plants that produced heavy artillery, small arms, and ammunition. At the former Federal arsenal in Little Rock, Hindman established an armaments laboratory. Directed by Colonel John W. Dunnington, the Little Rock arsenal employed gunsmiths, a carpenter, a clerk, and twenty-six laborers, nine women included, who earned a dollar a day for their efforts. In particular, Dunnington directed the gunsmiths to repair the damaged guns Hindman had brought

³⁹ *Report of Major General Hindman*, 10.

⁴⁰ Neil and Kremm, *Lion of the South*, 120; OR, I.15:782; *True Democrat* June 5, 1862.

with him from Memphis and Helena as well as any weapons salvaged in the local vicinity. The gunsmiths also prepared weapons and ammunition that had been obtained from local citizens by donation, purchase, or sheer impressment. By the end of August 1862, the arsenal had repaired several hundred firearms and produced around ten thousand ball and buckshot cartridges.

Hindman rightly noted that nothing of that scale had been attempted in Arkansas to that point in the war.⁴¹ Indeed, historians would be hard-pressed to find many similar instances of such active economic mobilization directed singularly by one man during the entire Civil War.

In addition to industrial production, Hindman also encouraged home manufacturing of war materiel, particularly clothing, to support the mobilization effort. This, however, was also driven and subsidized by the military, which encouraged the wives, mothers, and daughters of soldiers to stay home and assist in the production of thread and cloth, the tanning of leather, and the assembly of shoes. In all of these situations, the military provided women with cotton and leather ready for processing.⁴² Hindman's report frames the home manufacturing initiative as a kind of social welfare system. Hindman claimed that, through the home manufacturing program, the military supplied the wives and children of soldiers, along with "other necessitous persons," with "the material for clothing themselves and their relations in the army." Hindman even went as far as to purchase wool from Texas to support the program.⁴³ Essentially, the military government provided these women with the raw materials for their own clothing and their soldier's clothing in exchange for the production of these materials. Ultimately, despite Hindman's assertions, it is

⁴¹ *Report of Major General Hindman*, 10, 12; James J. Johnston, "Bullets for Johnny Reb: Confederate Nitre and Mining Bureau in Arkansas," in *Civil War Arkansas: Beyond Battles and Leaders*, ed. Anne J. Bailey and Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 2000), 62-65.

⁴² *Little Rock Arkansas Gazette*, June 14, 1862.

⁴³ *Report of Major General Hindman*, 12.

impossible to determine the success of these home manufacturing initiatives. There is little primary source material concerning the programs beyond newspaper articles and Hindman's own undoubtedly biased report. Nonetheless, the home manufacturing initiative furthered Hindman's goal of a self-sustaining command economy, this time with an eye toward both efficiency in production and positive conditions on the home front.

Furthermore, in an attempt to consolidate the state's resources and keep them out of Federal hands, Hindman pursued an ambitious program of cotton impressment. His efforts to keep cotton away from advancing Federals began as soon as he crossed the Mississippi River. On his way from Memphis to Helena in late May 1862, Hindman ordered "large quantities of cotton to be burned" to prevent it from being captured by Federal troops.⁴⁴ On June 3, after he arrived in Little Rock, Hindman furthered these actions by announcing that all cotton within the Trans-Mississippi District, except in the Choctaw Nation, would be seized as military property under the management of Captain W. Warren Johnson. Two days later, on June 5, Hindman issued orders to his county enrolling officers to construct depositories to serve as secure storage spaces for the county's cotton. The officers were authorized to use any means necessary to acquire land and construct these depositories, and they were encouraged to arrest any citizens who hid their cotton stores from Confederate soldiers or who failed to assist in the carrying out of the order.⁴⁵ Again, Hindman utilized the doctrine of military necessity to justify this severe entrenchment upon the property rights of private citizens, arguing that such firm action was necessary to keep all potential resources out of the hands of the advancing Federal armies under Samuel Curtis.

⁴⁴ *Report of Major General Hindman*, 6.

⁴⁵ *True Democrat*, June 12, 1862.

On June 9, Hindman began erasing the boundary between civil and military authority to further his mobilization efforts. With Special Orders No. 13, Hindman declared martial law in Pulaski County and appointed Colonel Benjamin E. Danley as provost marshal of Little Rock and Pulaski County. Hindman charged Danley with “the maintainance of order and discipline...and the suppression of vice, disorders and immorality within the limits of his jurisdiction,” among other managerial duties. Danley also assumed control over “all police regulations” within the county and was ordered by Hindman to “establish such regulations...as he may deem proper” in regards to trade, citizen movements, and violations of military orders.⁴⁶ Colonel Danley, the brother of *Arkansas Gazette* editor and Hindman supporter C.C. Danley, was thus given nearly autonomous power in Little Rock and the surrounding area.⁴⁷ Reporting only to Hindman, Danley became not only the unilateral seat of civil authority but also the judge of morality and the arbiter of police punishments in the county. Such an arrangement was hardly unprecedented in the Confederacy. In March 1862, martial law was declared in Richmond with General John H. Winder serving as provost marshal and wielding similarly autocratic authority.⁴⁸ But the citizens of Confederate Arkansas had never encountered such a drastic assumption of police authority by a military officer.

The next day, with General Orders No. 13, Hindman established a provost marshal system throughout Arkansas and the Trans-Mississippi District, an arrangement amounting to a de facto declaration of martial law. The order named Danley as “Chief Provost Marshal of the district” allowing him to exercise his powers across the entire district and giving him the authority to

⁴⁶ *True Democrat*, June 12, 1862; *Gazette*, June 14, 1862.

⁴⁷ Neal and Kremm, *Lion of the South*, 121.

⁴⁸ Kenneth Radley, *Rebel Watchdog: The Confederate States Army Provost Guard* (Baton Rouge: Louisiana State University Press, 1989), 181-83.

declare martial law wherever he deemed necessary in the district and appoint local provost marshals therein. Alongside his subordinate provost marshals, Danley was given the authority to impress and punish all deemed offenders of military law, including all who incited “disaffection towards the Confederate States,” all who attempted to evade “the provisions of the ‘conscript act,’” and all who violated any orders “in respect to cotton.”⁴⁹ The specific references to disaffection, conscription, and the confiscation of cotton suggest the importance that Hindman placed on these particular issues.

In addition to outlining these police authorities, General Orders No. 13 also expanded the power of the provost marshals to include the organization of infantry or cavalry companies. These companies could be organized at the discretion of the local provost marshals and could include all white male persons between sixteen and forty-five not already subject to conscription. Hindman’s previously issued General Orders No. 2 had set the age requirements as only eighteen to thirty five. Furthermore, he delegated the authority to grant exemptions from military duty to Chief Provost Marshal Danley.⁵⁰ Thus, Hindman quietly expanded the breadth of required military service in Arkansas. In an attempt to bolster the dismal manpower in Arkansas, Hindman issued General Orders Nos. 14 and 15 on June 10 and 11, respectively. The former prevented men leaving their counties of residence “for the pretended purpose of rejoining commands at Corinth.” The latter required officers and soldiers belonging to commands east of the Mississippi River but residing in Arkansas to report to their local enrolling officers to transfer into a local company.⁵¹ Both orders

⁴⁹ *True Democrat*, June 12, 1862. Unfortunately, almost no statistics survive regarding political prisoners in Arkansas. According to Neely, this is largely because no Arkansas prisoners were transferred to Virginia or North Carolina military prisons, the institutions that account for almost all War Department records. See Neely, *Southern Rights*, 27-28.

⁵⁰ *True Democrat*, June 12, 1862.

⁵¹ *Ibid*; *Gazette*, June 14, 1862.

suggest the sense of urgency felt by Hindman to muster all possible manpower for deployment in Arkansas. Hindman understood that not a single man could be wasted.

Hindman had good reason to be concerned about rapid mobilization and manpower in Arkansas. In the midst of these policy decisions in early June of 1862, Hindman also had his eye on the White River and the movements of Union General Samuel Curtis's Army of the Southwest. Meandering its way out of the Ozark Mountains, past Batesville, and through the bottomlands of the Arkansas Delta east of Little Rock to the Mississippi River, the White River presented a daunting challenge for the Army of the Southwest. The heat, mosquitos, lack of clean drinking water, and wandering local guerrillas proved detrimental to Curtis's hopeful advance to Little Rock. Despite a few attempts to penetrate deeper into Confederate territory, Curtis found himself, as of June 1862, no further south than Batesville.⁵² On June 4, Curtis notified the Union command in St. Louis that without reinforcements and fresh supplies, he would be compelled to fall back north of Batesville.⁵³ Having been relayed the message from St. Louis, General Henry Halleck ordered Commodore Charles H. Davis to take a Federal flotilla southward on the Mississippi River to the mouth of the White River. Davis was then ordered to ascend the White and resupply Curtis's straggling Army of the Southwest at Batesville.⁵⁴

In Little Rock, Thomas Hindman was one step ahead. Anticipating an attempt to reinforce Curtis, Hindman directed his chief engineer, Captain A.M. Williams, and two civilians, George Brodie and L. Leary, to organize the obstruction of the White River at St. Charles, about one hundred miles upstream from its mouth. The orders were issued on June 3 and, within a few days,

⁵² Shea and Hess, *Pea Ridge*, 301; Edwin C. Bearss, "The White River Expedition, June 10 - July 15, 1862," *Arkansas Historical Quarterly* 21, no. 4 (Winter 1962): 305-362, JSTOR, 305.

⁵³ O.R., I.13: 421; Bearss, "White River Expedition," 305.

⁵⁴ Neal and Kremm, *Lion of the South*, 128; Bearss, "White River Expedition," 306.

Williams and his crew of one hundred infantrymen were hard at work. Teams of lumberjacks ventured into the virgin forests of the bottomlands, felled huge trees, formed them into rafts, and used these massive piles to obstruct the river channel as much as possible. To further secure the river, Williams created a makeshift battery on the bluff at St. Charles. Two thirty-two pound rifles were removed from a gunboat anchored at Little Rock and placed on the bluff alongside two weapons from the Little Rock Arsenal.⁵⁵

But, before the obstructions could be completed, Confederate scouts spotted Davis's Federal flotilla on the White River approaching St. Charles. For Williams, the approaching Federal convoy must have been terrifying: two ironclad gunboats, the *St. Louis* and the *Mound City*, each mounting thirteen guns; two timberclads, the *Lexington* and the *Conestoga*, each mounting seven guns; the tug, *Spiteful*; and three transports carrying between one thousand and fifteen hundred infantry-men under the command of Colonel D.N. Fitch.⁵⁶ Having received word of the development on June 16, Hindman knew that the situation was critical. His men at St. Charles were in immediate peril, and any further advance by the Federal flotilla would be a boon for Curtis and provide a clear Union path to Little Rock. Hindman knew that the White River was navigable for ironclad vessels as far as DeVall's Bluff, around seventy-five miles upstream from St. Charles and fifty miles east of Little Rock. From DeVall's Bluff, a railroad led straight to the capitol city.⁵⁷

As he had no local companies at his disposal, Hindman directed a group of sailors aboard a gunboat docked at Little Rock to rush to St. Charles in an effort to reinforce Williams.⁵⁸ The next

⁵⁵ *Report of Major General Hindman*, 12; Neal and Kremm, *Lion of the South*, 128-29; Bearss, "White River Expedition," 315-16.

⁵⁶ *Ibid.*

⁵⁷ *Report of Major General Hindman*, 13; Neal and Kremm, *Lion of the South*, 129; Bearss, "White River Expedition," 316-17.

⁵⁸ Bearss, "White River Expedition," 317.

morning, on June 17, the Federal flotilla attacked the Confederate position at St. Charles. After a three-hour-long engagement, the outmanned and outgunned Confederates were forced to retreat, but not before inflicting serious casualties on the Federal convoy. The Confederate forces suffered only a handful of casualties compared to the Union's approximately two hundred deaths, most of which came as a result of the successful disabling of the *Mound City* ironclad.⁵⁹ After a shell from the Confederate battery struck the *Mound City*'s casemate, the steam drum aboard the ironclad exploded. Those not killed instantly were scalded badly, many of them jumping overboard into the murky river below. Williams' sharpshooters quickly descended the bluff and began mercilessly targeting the sailors struggling in the water from behind fallen timber. Despite this considerable loss of life and the disabling of a major ironclad, Commodore Davis, Colonel Fitch, and the Federal flotilla pushed beyond St. Charles and made their way toward DeVall's Bluff.⁶⁰

Fortunately for the fate of Confederate Little Rock, the White River Expedition came to a standstill soon after St. Charles. Davis and Fitch encountered difficulty moving any further upstream than Clarendon, still around fifteen miles south of DeVall's Bluff. Running perilously low on supplies and having learned of hardened Confederate defenses east of Little Rock at Bayou Meto, Curtis abandoned any hopes of moving on the capital city. By early July, Curtis resigned himself to turning eastward and retreating toward Helena. Learning of Curtis's retreat, Davis and Fitch turned their forces around, floated back down the White River, and churned up the Mississippi to Helena. On July 15, Davis's flotilla and Fitch's infantrymen finally made contact with Curtis's Army of the Southwest, but only a month too late.⁶¹

⁵⁹ *Report of Major General Hindman*, 14.

⁶⁰ Bearss, "White River Expedition," 324-26; Neal and Kremm, *Lion of the South*, 130; O.R., I.13: 104-05.

⁶¹ Neal and Kremm, *Lion of the South*, 131; Bearss, "White River Expedition," 361.

The key to the failure of the White River Expedition was not the lack of supplies, exhaustion, or miscommunication on the part of the combined Union forces, though all of these factors contributed. Rather, General Thomas Hindman was the critical player. Though stationed in Little Rock for much of the action, Hindman's directed a policy of irregular warfare that ultimately proved successful in keeping Little Rock safe from a Union advance.

It was probably no coincidence that Hindman issued his General Orders No. 17 only a day after he learned of the Federal flotilla advancing up the White River on June 16. This order proved to be one of the most controversial actions of his tenure as commander and one that had an inescapable influence on the nature of warfare in Arkansas after 1862. In the June 17 circular, Hindman called upon all citizens of the Trans-Mississippi District not already subject to conscription to "organize themselves into Independent Companies of Mounted Men, or Infantry...arming and equipping themselves" to serve in their locality for the "more effectual annoyance of the enemy, upon our rivers and in our mountains and woods." When ten men joined together to establish an independent company, Hindman allowed them to elect a captain and "at once commence operations against the enemy, without waiting for special instructions." He encouraged these "Bands of Ten," as they have come to be known, to report their activities to the Trans-Mississippi Headquarters only "as soon as practicable" after their formation. Beyond the broad requirement that the independent companies would "be governed...by the same regulations as other troops," Hindman offered no regulation of these units in the June 17 circular. He was more concerned that they attack the Union invaders with "the greatest vigor" both "day and night."⁶²

⁶² *True Democrat*, July 3, 1862; O.R., I.13: 835.

Hindman's General Orders No. 17 was not an attempt to regulate existing guerrilla bands. This is clear enough given the lack of language suggesting any sense of centralization. Indeed, the order emphasized immediacy and vigor, not careful organization. Nonetheless, it is important to note that General Orders No. 17 did not introduce guerrilla warfare to the Trans-Mississippi District. There is much evidence that guerrilla units were already widely prevalent throughout Arkansas by the time of Hindman's order. In his retreat from Pea Ridge back to central Arkansas, Van Dorn encouraged guerrilla resistance to the Union Army by commissioning a handful of guerrilla leaders. These partisans gathered followers throughout northern Arkansas to serve as a nuisance to Curtis whenever he tried to push south into Arkansas from Missouri.⁶³ As William Baxter, a Unionist priest and academic from Northwest Arkansas, described in his memoir, "roving, predatory" guerrilla bands "began their deeds of violence and blood" soon after the Battle of Pea Ridge.⁶⁴ And before venturing into the Arkansas heartland, Commodore Davis warned Colonel Fitch of Rebel snipers that hid in the timber and undergrowth of the White River bottomlands.⁶⁵ Though it did not initiate this activity, Hindman's order served to validate the actions of these kinds of partisans, those that wandered the hinterlands of Arkansas and prided themselves on being a nuisance to Federal troops, and it gave them the protection of Confederate military law. Indeed, General Orders No. 17 sanctioned and encouraged such warfare as a last-ditch effort to protect Little Rock from the looming threat of Union invasion by Curtis and Fitch. As Mackey rightly argues in *The Uncivil War*, Hindman's General Orders No. 17 "appealed for a

⁶³ Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 65-66.

⁶⁴ William Baxter, *Pea Ridge and Prairie Grove; or, Scenes and Incidents of the War in Arkansas* (1864; repr., Fayetteville: University of Arkansas Press, 2000), 62, 59.

⁶⁵ Sutherland, *A Savage Conflict*, 65-66; Bearss, "White River Expedition," 312.

people's war," a conflict fought by ordinary Arkansans to protect their home and property from a more centralized and powerful enemy force.⁶⁶

On June 24, Hindman issued a proclamation encouraging the citizens of Arkansas, and particularly those living along the White River, to "take your gun and ammunition...mount your horse, or go afoot...join the first company you overtake upon the march" and agitate the "Yankee General Curtis" who was "attempting to escape" to Helena. Hindman encouraged these ordinary citizens to attack Curtis's forces "day and night, kill his scouts and pickets, kill his pilots and his troops on transports...shoot his misguided officers, destroy every pound of meat and flour...fell trees...burn every bridge and back up the fords." Hindman declared his proclamation to be "the appeal of a bleeding country to her sons for deliverance."⁶⁷ This was no ordinary call to arms. Hindman had encouraged ordinary citizens to act as guerrillas and engage in an altogether undisciplined and unregulated people's war. Though it is impossible to gauge exactly how much influence Hindman's words had upon their actions, the bands that operated along the White River in June and July 1862 proved to be particularly effective in stalling the Federal advance both over land and along the water. On June 24, as the Federal flotilla moved upstream from St. Charles, Colonel Fitch reported constant harassment and a number of casualties from guerrilla sharpshooters scattered in the thick woods along the river.⁶⁸ On June 26, the *True Democrat* reported on a "handful of partisans, without previous preparation" that reversed three gunboats traveling up the White River toward DeVall's Bluff, presumably the Federal flotilla, by targeting

⁶⁶ Robert R. Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 30.

⁶⁷ *True Democrat*, June 26, 1862; O.R., I.13: 106; Mackey, *Uncivil War*, 32.

⁶⁸ O.R., I.13: 106.

the pilots from behind logs and trees.⁶⁹ Charles Field, a soldier in Curtis's Army of the Southwest, later described how, by July 5, "the rebels had filled the wells up" and "blockaded the roads by felling huge trees" in Monroe County.⁷⁰ Feeling trapped by guerrilla warfare, Fitch issued a proclamation on June 23 to the inhabitants of Monroe County declaring that if this "barbarous guerrilla warfare" were not stopped, he would send an expedition of Union soldiers to "seize and destroy your personal property" and render other such "rigorous measures."⁷¹ Upon learning of this proclamation, Hindman acted to protect the bands provoking effective irregular warfare along the White River, whether they were influenced by his call to arms or not. On June 25, he wrote to Fitch defending the Monroe County guerrillas as "recognized by me" and defending his authority to authorize such companies "to operate at will, in the absence of special instructions, against the forces of the United States Government." For reference, he enclosed a copy of his General Orders No. 17 of June 17 which officially sanctioned the actions of these guerrillas.⁷²

Despite Fitch's protestations, Hindman's strategy was successful. Fitch and Davis proved unsuccessful in making their way up the White River in a timely fashion to meet up with Curtis's Army of the Southwest in large part due to continuous agitation by guerrilla bands. Any imminent threat to Little Rock that existed at the beginning of June 1862 was extinguished by July. Though undoubtedly assisted by the elements and the sheer lack of supplies on the part of Curtis, the actions of scattered guerrilla bands, perhaps encouraged by the firm words of Hindman in Little Rock, ensured that any attempt to penetrate further into the Arkansas heartland would prove unnecessarily troublesome and bloody. Though the exact influence Hindman had on the

⁶⁹ *True Democrat*, June 26, 1862.

⁷⁰ Charles D. Field, *Three Years in the Saddle, From 1861 to 1865: Memoirs of Charles D. Field* (n.p.: n.d.), 16-17.

⁷¹ O.R., I.13: 106-07.

⁷² O.R., I.13: 108.

operations of these guerrilla bands along the White River will never be known, his words and actions served to validate their method of irregular warfare, and he worked to shield them from Union reprisal. In other words, Hindman initially approved of the guerrilla war in Arkansas and did all he could to encourage it.

Though his encouragement of guerrilla warfare proved to be highly controversial, Hindman's usage of martial law generated the most discussion among the citizens of Arkansas. Though already established in Pulaski County as early as June 9, Hindman's General Orders No. 18 of June 30 established martial law throughout the entire Trans-Mississippi District. In the circular, Hindman declared that a "state of war" had "virtually suspended the ordinary remedies for the protection of citizens in their rights of person and property." Given this lawlessness and lack of centralization, Hindman extended "the direct protection of the military authority...over the people of this District" by dividing the Trans-Mississippi District into several smaller military departments, each with its own provost marshal. Having already served for a few weeks as provost marshal of Pulaski County, Benjamin Danley was named Provost Marshal General of the entire district. Division No. I was established as all of Louisiana north of the Red River, No. II as all of Arkansas south of the Arkansas River, No. III as Arkansas between the Arkansas and White Rivers, and No. IV as Arkansas between the White and Mississippi Rivers. In a direct pivot from his embrace of unregulated guerrilla warfare only a few days before, Hindman charged his district provost marshals with the command of all independent guerrilla companies formed within their respective districts under the auspices of General Orders. No. 17. Furthermore, Hindman declared that citizens would not be allowed to leave their neighborhoods unless absolutely necessary, in which case they were required to obtain a passport from their district provost marshal. Finally,

Hindman gave Danley the authority to establish regulations for this new military state granted that he first submit them to his single superior, Hindman himself.⁷³

In his 1863 report, Hindman articulated that “the virtual abdication of the civil authorities” compelled him to “institute a government *ad interim*.” He believed it “incumbent” upon him to preserve society, maintain an army, and protect the interests of the people of his district. And because Curtis and Fitch were stationed at Helena, only one hundred miles from Little Rock, he believed that some semblance of centralized authority must be established to further buffer Central Arkansas and the rest of the Trans-Mississippi District from Union invasion. In his eyes, martial law was the only way to “put an end to the anarchy by which the loyal population had been so long afflicted.”⁷⁴ By exorcising “the devil of extortion,” destroying cotton, arresting “spies...traitors, stragglers and deserters,” and enforcing conscription, Hindman believed that his military police state was promoting “the greatest good of the greatest number of loyal citizens.”⁷⁵ Hindman knew that he was curtailing the rights of citizens by declaring martial law. But, always one to employ the rhetoric of sacrifice, Hindman believed that loyal citizens must be prepared to do their part to contribute to the safety and security of their state. His earlier actions involving the mobilization of the state through conscription, guerrilla activity, and state-controlled production all required sacrifices on the part of the citizenry. The enactment of martial law, he believed, was no different.

Much of General Orders No. 18 paved the way for a stronger and more centralized military state in the Trans-Mississippi District. Through the order, Hindman declared for himself and for General Danley near absolute authority over civilian matters. But Hindman’s centralization of

⁷³ *True Democrat*, July 3, 1862.

⁷⁴ *Report of Major General Hindman*, 17.

⁷⁵ *Ibid.*, 18.

authority extended beyond the civilian realm. By assigning his division provost marshals to the command of the independent guerrilla bands formed under General Orders No. 17, Hindman was attempting to centralize military operations within the district as well. Perhaps Hindman and his understudies began to realize that these independent bands would prove difficult to control, particularly after the immediate Union threat posed by Fitch and Curtis was, for the time being, quelled. Indeed, in *The Uncivil War*, Mackey argues that General Orders No. 18 was an attempt to “address command and control issues for the guerrilla units raised in Arkansas,” though there is doubt as to whether the inspections and reports required by the order were ever actually filed.⁷⁶ With General Orders No. 17, Hindman had provided for the defense of Little Rock and the Trans-Mississippi District through the encouragement of guerrilla bands to fight a people’s war against the invading Union army. With General Orders No. 18, however, Hindman seems to have realized that controlling these guerrilla bands would prove to be a different challenge altogether, one that required the firm hand of a centralized military state as opposed to the libertarianism of a decentralized people’s uprising.

However, many citizens of Arkansas did not welcome Hindman’s efforts to establish a centralized military state. Though stationed in the Indian Territory, no critic of Hindman’s policies was as vocal and persuasive as General Albert Pike. Continuing what began as a jurisdictional disagreement grounded in miscommunication and weighty egos, the conflict between Pike and Hindman grew into a much deeper argument about the nature of the Confederate war effort, the sanctity of civil liberties in wartime, and the limits of military necessity. This dive into a more hearty and intellectual debate began after Hindman’s declaration of martial law on June 30. Within a few days, Pike drafted his response. On July 3, 1862, apparently tired of

⁷⁶ Mackey, *Uncivil War*, 30.

writing to Secretary of War Randolph without garnering any response or ostensible reaction, Hindman sent a nearly ten-page letter to President Jefferson Davis. Before Davis received the letter itself, however, it had been reprinted in several newspapers.⁷⁷ Writing in his capacity as “a private citizen of Arkansas” rather than as a military commander because it was “chiefly the rights of the citizen” that were most at risk, Pike admonished Hindman’s gross abuse of power in his declaration of martial law, an act that Pike believed was unconstitutional, antithetical to the Confederate experiment, and militarily imprudent. Pike declared Hindman to have established an “absolute despotism” within the state of Arkansas by suspending the writ of habeas corpus, a power that the people of the Confederacy, through their Constitution, bestowed only upon the President to be exercised in times of extreme crisis. Pike believed that Hindman’s concentration of all military and civil power within the hands of a few provost marshals constituted “the most intolerable despotism.” In one of his most colorful attacks, Pike likened the chief provost marshal to “a triple-headed deity” who serves as legislator, judge, and executor in every civil case: “he wears the robes of the Senator and the armine of the judge, and wields the bloody fasces of the Lictor at once.” Pike argued that Hindman’s order to seize all cotton within the district was an example of a violation of “the Solemn Agreement between the states, which declares that no man shall be deprived of live, liberty, or property, without due process of law,” and that his curfew and passport restrictions made “every man and woman a slave.” But Pike framed the question of martial law as more than simply a question of civil liberties. He argued that such policies have negative military consequences as well, with martial law proving to be “the most fruitful source of disaffection” among soldiers in Arkansas because it diminished the Confederate cause in their eyes and

⁷⁷ Thomas W. Kremm and Diane Neal, “Crisis of Command: The Hindman/Pike Controversy over the Defense of the Trans-Mississippi District,” in *The Chronicles of Oklahoma* 70 (Spring 1992): 26-45, 35.

represented the very tyranny from which the Confederacy had hoped to escape. Pike argued that martial law “reconciles men to desertion, sanctifies want of zeal...is a pretext for cowardice,” and renders “glory less satisfactory in the mind of the soldier.”⁷⁸

Not surprisingly, Jefferson Davis did not take well to Pike’s use of an open letter to generate publicity. Through his aide-de-camp Colonel Joseph C. Ives, Davis pointed out the “impropriety of an officer...addressing the President through a printed circular” in his response to Pike.⁷⁹ Pike, however, had no hesitation undermining the chain of command. With Hindman sensing that the lack of manpower in Northwest Arkansas would open the rest of the state and the Indian Territory to Union advance, he directed Pike to move his command post to Fort Smith where he would assume leadership of all Confederate forces in the region, both white and Native American.⁸⁰ Though he sent two artillery companies and one Texas cavalry regiment to Fort Smith, Pike refused to accept what would have been an expanded command jurisdiction, perhaps further signaling his stubborn resistance to any and everything Hindman demanded. In the same letter, Pike tendered his resignation.⁸¹ He reiterated his request to be “immediately relieved of this command” on July 21, a request that Hindman forwarded to Richmond with his approval.⁸² In a July 20 letter to Randolph, Pike explained that he would rather resign than assist Hindman in enforcing what he believed to be “the substitution of a despotism in place of a constitutional government” through the means of “martial law.”⁸³

⁷⁸ Albert Pike to Jefferson Davis, July 3, 1862, Albert Pike Papers, Arkansas State Archives.

⁷⁹ Jefferson Davis to Albert Pike, n.d., in *The Papers of Jefferson Davis*, vol. 8, 275.

⁸⁰ O.R., I.13: 856-57.

⁸¹ O.R., I.13: 357-58; Kremm and Neal, “Crisis of Command,” 35-36.

⁸² O.R., I.13: 973; *Report of Major General Hindman*, 20.

⁸³ O.R., I.13: 856.

Back in Little Rock, Pike's protestations had little influence on the progress made by Hindman toward complete centralization. The day after the issuance of General Orders No. 18, Provost Marshal General Benjamin Danley issued a circular outlining the regulations and organizational structure for a grandly conceived and highly centralized military police state, thus making good on the authority delegated to him by Hindman. At the heart of this organization structure was a hierarchy of provost marshals: Provost Marshal General Danley at the top followed by the four division provost marshals. Reporting to each division provost marshal was a set of local provost marshals organized by county or parish. Through this system of provost marshals, Danley organized the extensive recordkeeping of all prisoners and impressed property. Danley reiterated the importance of gathering up weapons and ammunition, asserting "the duty of all Provost Marshals, to use all possible exertions by purchase, if in the hands of friends, and by seizure if in the hands of enemies, of all arms and munitions of war." Danley also established further means to centralize the operation of independent guerrilla companies within the district. He required that all "captains of independent companies" organized under General Orders No. 17 "will immediately report such organization to the office of the Provost Marshal General." Furthermore, the captain of each independent company was required "to make out a muster roll...of all the members of his company." These captains were to update these rolls as more recruits were added.⁸⁴ Thus, the Provost Marshal General was now responsible for the oversight of the guerrilla bands in operation under General Orders No. 17, further evidence of the realization on the part of Hindman and his staff that controlling their notorious "Bands of Ten" might prove to be difficult. In a sharp divergence from the urgent call to arms of General Orders No. 17, these later regulatory measures emphasize organization and accountability.

⁸⁴ *True Democrat*, July 3, 1862.

On July 7, Danley issued a second set of regulations, again dealing with the local operation of martial law and the organization of independent guerrilla companies. Here, Danley required the local provost marshals to immediately arrest any person “suspected of, or charged with, an offence against the government.” The list of offences provided by Danley hint at the priorities of Hindman’s military state. They included “furnishing the enemy with supplies...giving him information...spreading discontent or disaffection...evasion of, or resistance to, the ‘Conscript act’...or other evidence of disloyalty.” Thus we encounter some suggestions at the civilian discontent that was spreading throughout the district at the time, most notably in reference to the “Conscript Act.” In the pursuance of justice, Danley emphasized swiftness and firmness. After being arrested by the local provost marshal or his staff, an individual was to stand trial and be judged by the local provost marshal himself. In some instances, these cases would have found their way to the Provost Marshal General. As a trial came to a close, the local provost marshals were also in charge of administering the punishment. Thus, as Pike referenced in his lengthy July 3 letter to Jefferson Davis, the local provost marshals themselves filled the roles of the police force, the judge, and the executioner. Danley directed that punishments were to be “certainly executed” and “sufficient to secure order and quiet in the community.” He and Hindman had an eye toward setting an example among local populations in order to quell the discontent, disloyalty, and disaffection that could prove detrimental toward military operations within the state.⁸⁵ Thus, in addition to establishing a more centralized state, Hindman diluted the normal boundary between civilian and military affairs. This speaks to Paul Escott’s argument that, in Confederate society

⁸⁵ Washington, Arkansas *Telegraph*, July 30, 1862.

during the Civil War, “the normal boundaries between civil and military realms crumbled and became permeable.”⁸⁶

In addition to administering punitive justice, the local provost marshals were also charged with the more detailed administration and organization of independent guerrilla companies. Danley required that newly organized companies must be “immediately reported to the Parish or County Provost Marshal, who will immediately muster and inspect it.” The division provost marshals would then make weekly reports of all new independent guerrilla companies to provide to the Provost Marshal General. Furthermore, Danley required each local provost marshal to “inspect the independent Companies, under his command, once every two weeks.” The local provost marshals were also charged with providing the men in each independent company with “a gun and ammunition, a horse, a haversack, a canteen, and a sac for carrying a few day’s forage.”⁸⁷ Thus, Hindman attempted to make the independent guerrilla companies he encouraged less and less “independent.” Not only was the provost marshal system providing strict oversight, but it was also providing arms and supplies for these companies. Though Hindman and Danley seem to be working toward a more effective and centralized defense force for the district, they were also attempting to diminish any sense of independence felt by these guerrilla bands.

As Hindman further centralized all civil and military operations in Arkansas through his declaration of martial law and subsequent General Orders, many local citizens began to share Pike’s disapproval of Hindman’s tactics and philosophy. Two newspaper editors, John Eakin of the *Washington (AR) Telegraph* and James D. Butler of the *Arkansas Patriot*, proved to be the most articulate critics of Hindman’s policies within Arkansas. Writing from the town that would

⁸⁶ Escott, *Military Necessity*, 91.

⁸⁷ *Washington Telegraph*, July 30, 1862.

eventually become the provisional Confederate capital of Arkansas after the fall of Little Rock in September 1863, Eakin was an established strict constitutionalist by the summer of 1862.⁸⁸ Unlike Pike, Eakin rarely criticized Hindman by name. Rather, he behaved as more of a watchdog, endorsing martial law as just and practical but wary of the potential for overreach if placed in the hands of reckless military commanders. As early as June 18, a only a day after Hindman's declaration of martial law in Little Rock and his establishment of the provost marshal system in Arkansas, Eakin questioned whether Hindman's orders "disregard the acts of our Southern Congress," in which case they would be "reprehensible."⁸⁹ On July 2, days after Hindman declared martial law throughout Arkansas with General Orders No. 18 on June 30, the *Telegraph* featured an editorial entitled "Stability Not Tyranny" which advocated for "the great constitutional principles which protect life, liberty, and property."⁹⁰ And in a July 23 editorial, Eakin endorsed the concept of martial law as a function of protecting "the citizen in his peaceful avocations," but condemned the wanton exercise of "summary authority in either taking or destroying property." Indeed, Eakin encouraged cooperation on the part of the citizens of Arkansas, but he also encouraged restraint on the part of the military command within the state.⁹¹ Though, Eakin believed that martial law was justifiable, he also believed that the state teetered on the edge of tyranny.

By the middle of July 1862, General Thomas Hindman had established a centralized military state in Arkansas through an ambitious docket of civil and military policies. He worked to mobilize the state for war through state-controlled industry and a broadened conscription. He

⁸⁸ Dougan, *Confederate Arkansas*, 104, 92.

⁸⁹ *Washington Telegraph*, June 18, 1862.

⁹⁰ *Ibid.*, July 2, 1862.

⁹¹ *Ibid.*, July 23, 1862.

encouraged guerrilla warfare to defend Little Rock against a Federal assault. He declared martial law in the Trans-Mississippi District thereby clothing himself with autonomous power and erasing the boundary between civil and military authority within the region. He constructed an intricate bureaucracy within his district to create a semblance of centralized governance in a “frontier” state. But, as discussed above, these hard-handed policies did not come without just criticism, some of it particularly virulent. Ultimately, these grumbings of discontent in June and July 1862, particularly among well-to-do Arkansans, led to Hindman’s demotion from his command of the Trans-Mississippi District.

As Richmond began gathering word of the situation in Arkansas through sources such as Albert Pike, the Davis Administration moved to replace Hindman with as little spectacle as possible. Through a terse order from the Inspector General’s Office in Richmond on July 16, Confederate Secretary of War George W. Randolph assigned Major General Theophilus Holmes to the command of the Trans-Mississippi District. Randolph did so without any mention of Hindman.⁹² Though he did not arrive in Little Rock until August 12, Holmes assumed command of the Trans-Mississippi District on July 30 while still in Vicksburg. Hindman remained on hand in Arkansas, but he was transferred to the field command of all Confederate troops in the northwest corner of the state.⁹³ While on his journey to the Trans-Mississippi District, Holmes had received a dispatch, dated August 3, from Jefferson Davis. Davis did not mention Hindman by name, but his implications were clear enough. Echoing Pike’s July 3 letter, Davis reported to Holmes that the “military authorities in the department to which you have been assigned” had usurped their authority by “declaring martial law, by forcing persons into service not subject to

⁹² Neal and Kremm, *Lion of the South*, 133; O.R., I.13: 855.

⁹³ *True Democrat*, August 13, 1862; O.R., I.13: 860; Neal and Kremm, *Lion of the South*, 137.

enrollment, by needlessly impressing private property,” among other offenses. Davis directed Holmes to “correct these abuses as rapidly as is consistent with the defense of the country.”⁹⁴ Holmes would find that accomplishing that task would not be as easy, nor as desirable, as Davis assumed it to be.

In total, General Thomas C. Hindman’s command of the Trans-Mississippi District lasted from May 31 to August 12. He accomplished more in those seventy-four days than an average commander could have accomplished in years. In his June 1863 *Report...on His Operations in the Trans-Mississippi District*, Hindman articulately defended himself and his actions as firm but necessary. He declared to have recruited upwards of fifteen regiments of infantry and cavalry during his tenure, in addition to upwards of five thousand irregular soldiers.⁹⁵ Unfortunately, due to the lack of primary source material, these numbers are impossible to verify. Likewise, the nature of the exact implementation and effectiveness of Hindman’s policy initiatives will probably never be known. Nonetheless, by looking at the short-term outcome of his actions, Hindman did prove successful in “driving out the invader” as he promised in his initial proclamation. He adopted authoritarian policies, but he did so with a singular eye toward a hard-fought victory. In spite of this success in the short-run, however, Hindman did not enact his policies without making a few enemies in the process, both for himself and for the people of Arkansas.

⁹⁴ O.R., I.13: 874.

⁹⁵ *Report of Major General Hindman*, 22.

II. “The Most Intolerable Despotism”:

Reaction to and Repercussions of Hindman’s Military State

“How soon our liberties are lost!” declared Judge John Brown of Camden in September 1862. A frequent writer throughout the war and a prominent public official, Judge Brown’s diary offers a glimpse into the everyday life of Arkansans in the Civil War. While he frequently limited himself to observation, Judge Brown could not help but let his own opinions shine through occasionally. September 5, 1862 was one such occasion. “We are slaves,” he wrote, “not to a foreign despot...but reduced by our political leaders placed in a situation which is said to require it.” He accused these “leaders” of “purporting to have both a military and civil government going on at the same time,” an experience akin to the “most abject slavery.”¹

Writing only weeks detached from the end of General Thomas Hindman’s tenure as commander of the Trans-Mississippi District, Judge Brown was not alone in his displeasure at the state of the Confederate war effort in Arkansas. Hindman had achieved his primary goals in the summer of 1862, that being to mobilize the state for wartime and “drive out the invader” in the process. But, as the citizens of Arkansas and Hindman himself discovered, such a centralized mobilization campaign required a considerable sacrifice of civil liberties and relied upon warfare tactics that, if allowed to flourish, could easily become unmanageable. Hindman accomplished his immediate goal, but his use of military necessity to justify the suspension of civil liberties and his promotion of guerrilla warfare both had unintended consequences in the arenas of public opinion

¹ Judge John Brown Diary, September 5, 1862, Arkansas State Archives. (Hereafter cited as “Judge Brown Diary”)

and in the progress of the Confederate armies in the West. Hindman's declaration of martial law and strict enforcement of conscription did little to confront the specter of desertion and disaffection in Arkansas. Rather, they had the opposite effect, instigating a bitter public brawl over the value of civil liberties in wartime that began during his tenure as commander of the Trans-Mississippi District in the summer of 1862, intensified after his defeat at the Battle of Prairie Grove in December 1862, and continued through the spring of 1863. And, though guerrilla warfare was already present in Arkansas before Hindman's time, his sanctioning and promotion of independent guerrilla units in June and July 1862 vindicated these tactics and initiated a period of prolonged guerrilla violence in Arkansas.

Few issues loomed as large in Hindman's Arkansas as martial law and conscription, both policies that he believed to be essential. In his view, martial law established centralized authority in an otherwise lawless frontier state and conscription harnessed every ounce of much-needed manpower to defend against Curtis's Army of the Southwest. However, many Arkansans disagreed, as expressed in newspaper articles, unpublished diaries, and public demonstrations. Martial law, in particular, instigated a visceral reaction from the Arkansas literati throughout 1862 and 1863. Though serving in the Indian Territory and thus somewhat detached from the effects of martial law, Brigadier General Albert Pike took it upon himself to serve as Hindman's most fervent detractor. Speaking out against what he believed to be Hindman's extreme breach of military authority in his suspension of civil liberties in Arkansas as well as his breach of military jurisdiction in attempting to commandeer troops and material from the Indian Territory, Pike wrote at least nine letters to his superiors at the War Department in Richmond during the summer of 1862, all

of them concerning Hindman in some way.² In addition, Pike published five open letters regarding Hindman through April 1863, including his open letter to Jefferson Davis of July 3, 1862.³

Though excessively verbose and almost humorously extravagant in his language, Pike's later writings on Hindman articulate a vigorous and thoughtful defense of civil liberties in wartime. As Mark Neely points out, these documents constitute "the principle pamphlet literature produced in the Confederacy on martial law and the writ of habeas corpus."⁴ Indeed, combining Hindman's general orders and his *Report...of his Operations in the Trans-Mississippi District* with Pike's several pamphlets and letters, we see a sharp disagreement between Pike and Hindman that concerns the

² They include: Albert Pike to George W. Randolph, June 26, 1862, *The War of the Rebellion: Official Records of the Union and Confederate Armies* (Washington D.C. Government Printing Office, 1880-1902) Ser. I, Vol. 13: 841. (hereafter cited as O.R.); regarding overlapping jurisdictions and Hindman's infringement upon Pike's authority as a military commander; Pike to Randolph, June 27, 1862, O.R., I.13: 846, again regarding Hindman's infringement upon Pike's command, particularly regarding supplies; Pike to Randolph, June 28, 1862, O.R., I.13: 847, regarding his lack of sufficient manpower because of Hindman; Pike to Randolph, June 30, 1862, O.R., I.13: 848, regarding the extent to which Hindman's orders have harmed the Confederate effort in the Indian Territory; Pike to Randolph, July 1, 1862, O.R., I.13: 850, regarding how Hindman's orders have "deprived" Pike of his command; Pike to Randolph, July 20, 1862, O.R., I.13: 856, regarding Hindman's declaration of martial law; Pike to Jefferson Davis, July 31, 1862, O.R., I.13: 860, regarding the entirety of Pike's acts in the Indian Territory, Hindman's call for Pike's troops, and Hindman's overstepping of his authority; Pike to Davis, August 1, 1862, O.R., I.13: 871, regarding jurisdictional and military issues in the Indian Territory; Pike to Davis, August 25, 1862, in *The Papers of Jefferson Davis*, ed. Lynda L. Crist, vol. 8, 1862 (Baton Rouge: Louisiana State University Press, 1995), 358, regarding desire to serve Confederacy away from the influence of "adverse influences," most likely referencing Hindman.

³ Mark Neely, *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism* (Charlottesville: University of Virginia Press, 1999), 21; They include: Albert Pike to Jefferson Davis, July 3, 1862, Albert Pike Papers, Arkansas State Archives; *Albert Pike's Letter Addressed to Major General Holmes*, December 30, 1862 (Little Rock: J.D. Butler, printer, 1862); *Charges and Specifications Preferred August 23, 1862, By Brigadier General Albert Pike, Against Major Gen. Thos. C. Hindman* (Richmond: Smith, Bailey, and Co., Printers, 1863); *Address to the Senators and Representatives of the State of Arkansas in the Congress of the Confederate States*, March 20, 1863, (Louisiana: n.p., 1863); *Second Letter to Lieut.-General Theophilus Holmes*, April 20, 1863, (Richmond: n.p., 1863).

⁴ Neely, *Southern Rights*, 21.

most basic question of civil-military relations: how military policy relates to civilian policy in times of warfare.

As explored in the first chapter, the conflict between Pike and Hindman began on the political battlefields of antebellum Arkansas and fully materialized in their somewhat petty disagreements regarding troop movements and jurisdiction that erupted in June 1862. Some historians have used the jurisdictional kerfuffle to diminish the sincerity of Pike's later criticism of Hindman's use of martial law. For example, in David Thomas's 1929 *Arkansas in War and Reconstruction*, he discusses the dispute between Pike and Hindman without mentioning martial law whatsoever by emphasizing Pike's prickly temperament and Hindman's unpopularity.⁵ And, though he acknowledges the ideological depths of the arguments made between the two men, Mark Neely argues that the conflict was grounded more in a "confusion of Confederate jurisdiction" than it was "in libertarian ideology" because Pike simply "seized upon civil liberties issues" as fodder for his already fiery personal dispute with Hindman.⁶ Though the conflict between the two men arose as little more than a jurisdictional catfight, by July 1862 this conflict had evolved into a hearty debate over the sanctity of civil liberties in wartime and the limits of martial law and military necessity. The immense body of intellectually sound and expertly researched literature produced by Hindman and Pike survives as a testament to the depth and gravity of their debate, regardless of its origins.

On August, 23, 1862, exactly eleven days after Hindman relinquished his command of the Trans-Mississippi District to Theophilus Holmes, Pike drew up a series of seven formal charges and specifications against Hindman and sent them to Richmond. Rather than focusing on the trivial

⁵ David Y. Thomas, *Arkansas in War and Reconstruction, 1861-1874* (Little Rock: United Daughters of the Confederacy, 1926), 185.

⁶ Neely, *Southern Rights*, 23.

jurisdictional concerns of his early letters to Secretary of War Randolph, Pike's *Charges and Specifications Preferred...Against Gen. Thos. C. Hindman* picked up where he left off with his July 3 open letter to Jefferson Davis, focusing almost exclusively on Hindman's usurpation of civil and military authority in Arkansas and the violations of citizens' civil liberties therein. The list of grievances, as it were, was founded upon an emphatically libertarian understanding of the immutable supremacy of constitutionally guaranteed rights of citizens and a vigorous rejection of Hindman's use of the doctrine of military necessity to justify his overreach. Pike believed that Hindman's actions reduced Arkansas to "no State" because its constitution had been usurped and "the will of the military commander" became the state's "only law." Indeed, Pike declared that "no military power can annul any part of the Constitution," not even through martial law which here serves only to extend "a known code of laws into wider limits."⁷ Indeed, his first charge argued that Hindman directed the "utter subversion, for the time being, of the laws and the constitution of [Arkansas]" thus resulting in "an absolute despotism" in place of constitutional government. Avoiding the trickier question of jurisdiction, Pike cited Hindman's suspension of the writ of habeas corpus through the use of military tribunals for all criminal offenses and his appointment of provost marshals who assumed all "legislative, judicial, and executive" powers as evidence, both true accusations. Pike's second charge dealt with the invasion "of the rights of private property" focusing, in particular, on Hindman's orders regarding the seizure of cotton. The third charge dealt with the usurpation of military power as manifested in the "appointment and promotion of officers," a power granted only to the president. The fourth and fifth charges dealt with violations of the personal liberty of private citizens, namely Hindman's suspension of due process and his

⁷ *Charges and Specifications Preferred August 23, 1862, By Brigadier General Albert Pike Against Major Gen. Thos. C. Hindman* (Richmond: Smith, Bailey and Co., 1863), 3-4.

requirement that Confederate paper money be accepted in all transactions. The sixth and seventh charges again dealt with the suspension of due process, here in regards to the sentencing to death of several men without a proper trial. One was a slave who was charged with attempted rape and “arrested by the said Provost Marshal...and sentenced to be hung by the neck until he was dead” pending approval of Hindman who did approve the execution order the next day. Pike listed nine other men who were sentenced to death by Hindman himself for desertion without any trial or prolonged military tribunal.⁸

Ultimately, nothing came of these charges. Two days after he wrote them up, Pike learned that his courier delivering his resignation note to Richmond had been captured thus embroiling him in a several-month-long paper war with Hindman’s successor, Theophilus Holmes, regarding the status of his recently tendered resignation.⁹ However, time did not diminish Pike’s near obsessive hatred of Hindman. In the spring of 1863, Pike traveled to Richmond to re-introduce his August 1862 charges against Hindman to the Confederate Congress. To make his case, Pike wrote a lengthy address to the Arkansas congressional delegation in which he scorned the Congress and the War Department for not taking criminal action against Hindman for his “high crimes and misdemeanors, against private rights and public liberty.” Sparing no words, Pike declared that Hindman had “overturned the Constitution, subverted the laws, paralyzed the tribunals of justice, and established a complete reign of terror.” Indeed, he compared Hindman to the “tyrant” Abraham Lincoln with the only differences being that Hindman’s tyranny was “more galling and degrading” than Lincoln’s and that Lincoln, at least, was an elected politician while Hindman was

⁸ *Charges and Specifications*, 6-13.

⁹ Walter Lee Brown, *A Life of Albert Pike* (Fayetteville: University of Arkansas Press, 1997), 411.

an appointed general.¹⁰ Despite his forceful rhetoric, Pike's charges did not result in a formal tribunal by the Confederate state.

Evidence suggests, however, that Pike's insistence did not fall on deaf ears in Richmond. Within weeks of Pike's renewed charges against Hindman and his letter to the Arkansas delegation, the Judiciary Committee of the Confederate House of Representatives introduced a resolution condemning the use of martial law within the Confederacy. The resolution differentiated between "martial law" and "military law," the former being defined as the "arbitrary suspension of the laws and civil jurisdictions" within an area and the latter being defined as a government administered by the military "by virtue of legislative authority...in pursuance of the Constitution."¹¹ It seems that the Confederate Congress had Hindman in mind while drafting this resolution, as it condemned exactly the sort of arbitrary and unauthorized declarations of martial law that Hindman so freely exercised in the Trans-Mississippi District. Indeed, upon debate over the resolution, Henry S. Foote of Tennessee denounced Hindman "in unmeasured terms" by quoting from one of Pike's letters and urged the House to support the resolution "to guard the rights of the people against their violation by military usurpers."¹² Ultimately the resolution easily passed, showing that Pike's words did carry some weight within the Confederate government. But they did not carry enough weight to formally indict Hindman, as Pike would have hoped. Though the Confederate Congress passed a resolution condemning the very actions that Hindman freely practiced in the Trans-Mississippi, they would not officially sanction him for doing so. This echoes Mark Neely's argument that "public policy and administrative practice diverged sharply in the

¹⁰ Pike, *Address to the Senators and Representatives of the State of Arkansas*, 1, 3, 20, 17.

¹¹ Brown, *Life of Albert Pike*, 416; "Proceedings of the First Confederate Congress, Third Session in Part, March 20 - May 1, 1863," *Southern Historical Society Papers* XLIX (May 1943), 140.

¹² *Ibid.*, 142.

Confederacy,” particularly in regards to civil liberties and martial law. As Neely describes, “talk of sacred civil liberties” filled Confederate discourse, but “it was mostly that – talk. Action was another matter.”¹³

Nonetheless, as in his July 3 letter to Jefferson Davis, Pike succeeded in his *Charges and Specifications* and his address to the Arkansas delegation in painting a portrait of Thomas Hindman as a tyrannical, violent, and unscrupulous military despot. Throughout his letters and pamphlets, Pike consistently harped on Hindman’s abuse of military authority vis-à-vis the declaration of martial law, the invasion of personal liberties, the seizure of private property, and the suspension of due process. Ironically enough, however, Hindman would not have disagreed with almost any of the actions that Pike accused of him. In his *Report on his Action in the Trans-Mississippi District*, written in June 1863, Hindman freely admits to the declaration of martial law, his seizure of private property, and other such actions. Furthermore, he admits that he knew that he was breaking the law but argues that he had no choice if he wanted to make good on his pledge of “driving out the invader.” While Pike preached a libertarian defense of limited military authority and the sanctity of civil liberties, Hindman preached a realpolitik defense of military necessity. In his writings, Pike argued that rights to private property and due process were enshrined in the Constitution and, thereby, were altogether undeniable, even in times of warfare. Thus, Pike saw a firm delineation between military and civil power.¹⁴ However, Confederate military policy frequently did not align with Pike’s idealistic vision. As Paul Escott argues, “the normal boundaries between civil and military realms crumbled and became permeable” when the Confederacy was

¹³ Neely, *Southern Rights*, 10, 151.

¹⁴ *Charges and Specifications*, 4.

forced to confront the logistic and administrative challenges of war.¹⁵ In the spring of 1862, Jefferson Davis resorted to local declarations of martial law, albeit through Congressional approval, to achieve security in the face of military straits. Few were more extreme than the March 1862 declaration of martial law in Richmond administered by Brigadier General John H. Winder who, through the military and civil power bequeathed to him by Davis, set price controls, enacted a strict passport system, and banned the sale of liquor.¹⁶

Beyond the legality of martial law itself, Pike believed that Hindman gravely erred in his use of the rhetoric of military necessity to justify martial law, an excuse that has “in all ages been the plea of tyrants,” according to Pike.¹⁷ Indeed, in his *Report*, Hindman cited several precedents in his declaration of martial law including Braxton Bragg’s declaration of martial law in Memphis and Albert Sidney Johnston’s declaration in Mississippi, both in March 1862. But, Hindman also argues that, even if there had been no precedent whatsoever, he would “have taken the responsibility, risking myself upon the justice of my country, and the rectitude of my motives.” Furthermore, on the topic of raising independent units, Hindman declared that he knew he was violating the explicit guidelines provided by Beauregard, but that the situation necessitated such action. Indeed, Hindman argued that, regardless of the legality of or even the occasional harm done by his policies, he was always acting with “the greatest good of the greatest number of loyal

¹⁵ Paul D. Escott, *Military Necessity: Civil-Military Relations in the Confederacy* (Westport, Connecticut: Praeger Security International, 2006), 91.

¹⁶ Emory M. Thomas, *The Confederate State of Richmond: A Biography of the Capital* (Austin: University of Texas Press, 1971), 81-84; Thomas, *The Confederate Nation: 1861-1865* (New York: Harper and Row Publishers, 1979), 151; Kenneth Radley, *Rebel Watchdog: The Confederate States Army Provost Guard* (Baton Rouge: Louisiana State University Press, 1989), 183.

¹⁷ *Charges and Specifications*, 4.

citizens” in mind.¹⁸ Such rhetoric directly echoes the rhetoric of military necessity that Francis Lieber, a Prussian émigré to the United States and political scientist at Columbia University, utilized in his 1863 General Orders No. 100 in an attempt to codify military practice for an increasingly cumbersome Union Army. Within what has come to be known as the “Lieber Code,” the Union War Department defined “military necessity” as “those measures that are indispensable for securing the ends of war.” Thus, the Lieber Code excuses all destruction of property, loss of life, obstruction of communication, or other such wartime action if that action contributes to securing the ends of war.¹⁹ Though these guidelines would be published almost a year after Hindman took command in Arkansas, his actions seem to reflect a similar philosophy. Unlike Pike, Hindman believed that it was the responsibility of those in charge to do what had to be done to secure “the ends of war,” as Lieber would later write.

But, as discussed above, Pike was hardly the only citizen speaking out against Hindman’s autocratic exercise of military authority. In many cases, the criticism of Hindman only increased after he had been removed from the command of the Trans-Mississippi District. Despite his early excitement upon Hindman’s arrival in Arkansas, Judge John W. Brown of Camden quickly became skeptical of his use of martial law. On July 18, 1862, not long after martial law was originally established throughout the state on June 30, Brown complained of Hindman’s “tyrannical acts of military power” and declared that the people of Arkansas were, in fact, living

¹⁸ Neely, *Southern Rights*, 17; *Report of Major General Hindman of his Operations in the Trans-Mississippi District* (Richmond: R.M. Smith, 1864), 18, 8.

¹⁹ Burrus M. Carnahan, “Lincoln, Lieber, and the Laws of War: The Origins and Limits of the Principle of Military Necessity,” in *The American Journal of International Law* 92, no. 2 (April 1998), 213-31, JSTOR, 214-15; “General Orders No. 100: The Lieber Code” (April 24, 1863), The Avalon Project, *Yale Law School*, accessed January 27, 2016.

“under a military despotism.”²⁰ Again, on September 5, after Hindman had been replaced by Holmes, Brown declared that the people of Camden had “had a trial of Martial Law.” He compared the lot of Arkansans to “slaves, not to a foreign despot...but reduced by our political leaders placed in a situation which is said to require it.” Like Pike, Brown did not accept Hindman’s argument of military necessity. He despised the idea of having “both a military and civil government going on at the same time” and declared the passport laws and other restrictions to be “the most abject slavery.” Sensing that the constitutionalism of Confederate rhetoric was not playing out in action, Brown declared that the “bubble of popular government has certainly burst.”²¹

Criticism of Hindman extended to Arkansas’s political elite as well. In the fall of 1862, after Hindman’s demotion to the field command, Governor Henry Rector emerged as yet another sharp critic of his declaration of martial law and abuse of military authority. In November 1862, having been recently defeated in his bid for re-election by Colonel Harris Flanagin, Rector delivered his final address to the state legislature in which he declared that the people of Arkansas had “been subjects of arbitrary authority” since Hindman’s initial assumption of power in May 1862. He argued that the citizens of the state had been “controlled in their pecuniary and personal rights by the dicta and caprice of one man, with an army at his command to enforce obedience to his orders.” However, Rector did not object to the use of martial law on its face. Rather, Rector sharply objected to Hindman’s decision to declare martial law without having the authority to do so. Speaking to the breadth of the military state that Hindman established during his tenure, Rector declared that no military ruler should have the authority to “interfere with the personal

²⁰ Judge Brown Diary, July 18, 1862.

²¹ *Ibid.*, September 5, 1862.

liberty of loyal private citizens, their contracts, or dealings, the prices of their property” or other such matters.²² In response to Rector’s allegations, the Arkansas House of Representatives established a committee to investigate the veracity of the Governor’s claims. The committee found that Hindman and his predecessor John S. Roane had, indeed, issued and enforced “illegal, oppressive, and unconstitutional military orders.” The Arkansas House then unanimously passed a resolution condemning Hindman’s declaration of martial law and directing the Arkansas delegation to the Confederate Congress to ensure that the Confederate government will “keep the military, so far as the exigencies [sic] of the country will allow, in subordination to the civil authority.”²³ These congressmen understood that Hindman had bended the lines between civil and military authority, and their resolution sought to re-establish that delineation by rejecting Hindman’s arguments of military necessity.

Some of the most scathing criticism of Hindman came after his embarrassing defeat at the Battle of Prairie Grove in December 1862. After being replaced as commander of the Trans-Mississippi by General Theophilus Holmes in August 1862, Hindman remained on hand in Arkansas and assumed command of some nine thousand men in the state. In late August 1862, Hindman relocated to Northwest Arkansas where Samuel Curtis and the Army of the Southwest were again attempting to penetrate into the state from Missouri. In this situation, however, Hindman was unable to drive out the invader. After lackluster performances at Cane Hill and, most notably, Prairie Grove in November and December of 1862, Hindman withdrew his forces south to Van Buren, leaving Curtis with complete control of Northwest Arkansas south to the

²² Leo E. Huff, “The Martial Law Controversy in Arkansas, 1861-1865: A Case of Internal Confederate Conflict,” in *Arkansas Historical Quarterly* 37, no. 2 (Summer 1978), 147-67, 160-61; *Washington Telegraph*, November 26, 1862.

²³ Huff, “The Martial Law Controversy in Arkansas,” 161; *Washington Telegraph*, December 3, 1862.

Arkansas River.²⁴ In the wake of this demoralizing defeat, criticism of Hindman in Arkansas reached a fever pitch with James D. Butler of the *Arkansas Patriot* leading the charge. In addition to printing several of Pike's letters condemning Hindman, Butler also published a lengthy critique of Hindman's full tenure in Arkansas on March 5, 1863, entitled "General Hindman's Inconsistency." Calling him a man "steeped in a profundity of vileness," Butler, like Pike, framed Hindman as a military despot who "assumed command...without authority" and "rode rough-shod over our civil and individual rights." Furthermore, Butler laid the blame of Confederate military failure in Arkansas firmly on Hindman's shoulders, saying that he "ruined the State." In a different editorial from the same day, Butler declared that "a free and independent State" was "reduced by [Hindman's] actions to a province or satrapy."²⁵ Finally, in late March after Hindman was transferred to the East, Butler rejoiced, exclaiming that "Hindman's reign of terror has passed."²⁶

But Butler looked deeper than mere principle. Like Pike, he believed that Hindman's authoritative policies contributed to disaffection and desertion among both troops and citizens in Arkansas, a sentiment that must have resonated with Confederate leaders in Arkansas and in Richmond. In his March 5 column, James D. Butler echoed Pike by saying that "numerous desertions have occurred from our colors" due to both Hindman's policies and his personality. In fact, Butler relates an instance of Theophilus Holmes asking a local colonel about the frequency of desertion in Arkansas. After being pressed, the colonel confirmed that these desertions were

²⁴ William L. Shea, *Fields of Blood: The Prairie Grove Campaign* (Chapel Hill: University of North Carolina Press, 2009), 241, 249-52, 265; Michael B. Dougan, *Confederate Arkansas: The People and Policies of a Frontier State in Wartime* (Tuscaloosa: University of Alabama Press, 1976), 93-94; Neil and Kremm, *Lion of the South*, 150-53.

²⁵ *Arkansas Patriot*, March 5, 1863.

²⁶ *Ibid.*, March 28, 1863.

“solely on account of the dislike and disgust of the men towards General Hindman.”²⁷ In his *Report*, Hindman argued against these claims and, instead, declared that “the spirit of desertion was crushed” under his watch. Admitting that desertion had been a problem before his tenure in Arkansas, Hindman associated these frequent desertions with both lax military discipline and lack of payment. Recalling an incident that Pike included in his *Charges and Specifications*, Hindman commenced his firmer approach to military discipline when he sentenced nine men, not all of them soldiers, to death by shooting for desertion or conspiracy. This, Hindman argued, “had the intended effect” of quelling desertion.²⁸

Clearly, Hindman disagreed profoundly with his critics on the nature of disaffection and desertion within Arkansas. The question, then, becomes: who was correct? Unfortunately, this question is extremely difficult to answer. In his superb monograph on desertion in the Confederate army, *More Damning Than Slaughter*, Mark Weitz argues that Hindman was on the right track to addressing desertion by first recognizing that “leniency ‘brought forth evil fruits’” and then working to tighten up discipline among Confederate forces in Arkansas. However, Weitz argues that, despite these well-meaning efforts, Hindman’s tenure of seventy-four days in Arkansas was “far too brief to make a difference.” Thus, while not being a driving force of desertion, Hindman was unable to “prevent the...problem from getting out of hand.”²⁹ Mark Neely also offers a generally positive assessment of Hindman’s actions to prevent desertion, again supporting Hindman’s notion that stricter punishments within the ranks would yield positive results.³⁰ The most glaring misstep in both of these assessments, however, is that they take Hindman completely

²⁷ *Arkansas Patriot*, March 5, 1863.

²⁸ *Report of Major General Hindman*, 16-17.

²⁹ Mark A. Weitz, *More Damning than Slaughter: Desertion in the Confederate Army* (Lincoln: University of Nebraska Press, 2005), 63-64.

³⁰ Neely, *Southern Rights*, 16.

at his word as offered in his undoubtedly biased *Report*. One reason for this misstep is the sheer lack of quantitative data on desertion in 1862 Arkansas. However, through extrapolation, we can garner a rough portrait of the untapped manpower in Arkansas at the terminus of Hindman's command. According to the 1860 census, the white male population between the ages of 18 and 45 in Arkansas at the time was 65,231.³¹ In an April 1862 letter to Jefferson Davis, the Arkansas congressional delegation enthusiastically reported that Arkansas had sent around 30,000 men to the army, most of them east of the Mississippi with General Van Dorn. A personnel report for the Trans-Mississippi Army from February 28, 1863, however, presented less optimistic numbers with 8,475 men present out of a total 16,990 on the rolls.³² The most striking feature of this personnel report was the absence of roughly half of enrolled men from the muster. Applying Weitz's estimated average Confederate desertion rate of between 8 and 13 percent to these numbers would predict between 1,359 and 2,208 deserters within the Trans-Mississippi Army of February 1863.³³ The absence of 8,515 men from the muster roll, however, suggests that desertion was a considerable problem in Arkansas and hardly was "crushed" during Hindman's tenure.

Local military and civilian accounts also refute Hindman's notion that he effectively solved the desertion problem through stricter policy. Rather, many accounts suggest that his policies exacerbated desertion. On August 11, Brigadier General Alvin P. Hovey of the Union Army of the Southwest reported the arrival of "several deserters from General Hindman's army" who described the rest of Hindman's forces as "badly demoralized." In the same report, Hovey recommended to a Captain Paddock that the Union troops should move on Little Rock because he was led to believe

³¹ Preliminary Report on the Eighth Census, 37th Cong., 2nd sess., 1862, xvii.

³² Carl H. Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas: Persistence in the Midst of Ruin* (Baton Rouge: Louisiana State University Press, 1994), 112; O.R., I.13: 815; O.R., I.22 (pt. 2): 793.

³³ Weitz, *More Damning than Slaughter*, 303n29.

that Hindman's "conscripts will desert in hundreds" upon their arrival.³⁴ On November 12, while stationed in far northwestern Arkansas, Brigadier General James G. Blunt of the Union Army of the Frontier reported to his superiors the arrival of fourteen Confederate deserters who wished to enroll in the Union army. Only a few months earlier, in August, Hindman had been transferred to command all Confederate forces in Northwest Arkansas. The deserters said that "large numbers will desert the rebel service" when the opportunity presented itself.³⁵ On December 11, only four days after the Battle of Prairie Grove, a wandering Confederate Colonel Jones of Independence, Missouri, surrendered himself to the cavalry of a Union Colonel Catherwood in central Missouri. Though he was an officer in the Confederate forces in Arkansas, Colonel Jones deserted because he had become "tired of the war, anxious to absolve himself from...the rebels, and particularly disgusted with the policy and administration of such men as Gen. Hindman."³⁶ In February 1863, Thomas H. Compere of Dardanelle, Arkansas, wrote to Governor Harris Flanagin describing the demoralizing march of Hindman's army back down the River Valley after the Battle of Prairie Grove. Compere described a "country filled full of deserters" who had "lost entire confidence in Hindman." These men were so disgusted with both Hindman's tyrannical policies and his failure as a military commander that they would "die in the mountains before they will go to Hindman again."³⁷ Furthermore, as Lieutenant General E. Kirby Smart replaced Theophilus Holmes as commander of the Trans-Mississippi Department in March 1863, Confederate Secretary of War James A. Seddon wrote to Smart to warn him of the "disorder, confusion, and demoralization" among both the military ranks of the region and among the civilian population. Seddon reported

³⁴ O.R., I.13: 559-60.

³⁵ O.R., I.13: 358; Neil and Kremm, *Lion of the South*, 140.

³⁶ *Frank Leslie's Weekly*, January 3, 1863.

³⁷ Thomas H. Compere to Harris Flanagin, February 8, 1863, Kie Oldham Collection, Arkansas State Archives, Little Rock.

that, because of the actions of the “perfectly odious” Hindman and the incompetent Holmes, the army had dwindled from 40,000 or 50,000 to around 15,000 or 18,000 “disaffected and hopeless” men.³⁸

In addition to desertion, local military and civilian accounts illuminate the wave of disaffection more broadly that swept both the military and civilian ranks of Arkansas during and after Hindman’s tenure. Theophilus Holmes, Hindman’s immediate successor as commander of the Trans-Mississippi District, articulated these sentiments in a December 29, 1862 letter to Jefferson Davis in which Holmes warned the president of the “growing disaffection to the war among the people” of Arkansas.³⁹ Though Holmes did not make the connection, much of this disaffection was manifested in animosity toward Hindman himself. In its August 1862 reporting on the fall of Helena, the *National Anti-Slavery Standard* reported that, though Hindman was a lawyer and congressman from the area, the people of Helena professed “to despise him, and reproach him as unprincipled and bankrupt in character and estate.”⁴⁰ In January 1863, the *Arkansas Patriot* declared that Hindman was “universally unpopular in the State, and not much loved by the army.”⁴¹ In his February 1863 letter to Governor Flanagin, Thomas Compere described the local population as “a hopeful and sacrificing people cast down and dispirited.” “Our country, sir, is ruined,” Compere wrote, “and how different we might have been if only a good and true man had been sent here to command.”⁴²

³⁸ O.R., I.22 (pt.2): 802.

³⁹ Qtd. in Carl H. Moneyhon, “Disloyalty and Class Consciousness in Southwestern Arkansas, 1862-1865,” in *Civil War Arkansas: Beyond Battles and Leaders*, ed. Anne J. Bailey and Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 2000), 118-19.

⁴⁰ *National Anti-Slavery Standard*, August 16, 1862.

⁴¹ Qtd. in Dougan, *Confederate Arkansas*, 94.

⁴² Thomas H. Compere to Harris Flanagin, February 8, 1863.

Though Hindman frequently reoccurs as the bunt of this frustration, much civilian disaffection was also directed at the Confederate cause more broadly. In August 1862, Judge Brown laconically echoed these sentiments when he declared that, in Camden, “Uncle Jeff [Davis]...has no friends.”⁴³ William Baxter, a professor and clergyman in Northwest Arkansas, recollected in 1864 that the Confederate soldiers in his region “bore themselves neither as heroes nor martyrs; there was an entire lack of enthusiasm for the cause in which they had battled.” From Baxter’s perspective, it appeared that their “only strong desire was a wish to get home.” To him, this was not surprising. He believed their disillusionment with the Confederate cause to be understandable given that the soldiers themselves had never “received any blessings from the [government] which, at the mandate of their despotic leaders, they were endeavoring to establish.” Indeed, they felt that they “had unwisely bartered true liberty for a tyrant’s rule.”⁴⁴ Sometimes, disaffection toward the Confederate cause and the Confederate military state in Arkansas turned violent, as in the case of a February 15, 1863 clash in Clark County, Arkansas. Somewhere in the foothills of the Ouachita Mountains west of Arkadelphia, a Confederate company of 300 men led by Captain Henry B. Stuart, a local circuit judge, attacked a band of 83 local dissidents led by a Captain Brown. Eloquently coined the “Battle of McGrew’s Mill” by residents of the area, this skirmish resulted in roughly twenty deaths and an unclear outcome. Brown, however, managed to escape north to Fayetteville with a handful of his men, where they promptly registered for the First Arkansas Cavalry led by Union Colonel M. La Rue Harrison.⁴⁵

⁴³ Judge Brown Diary, August 5, 1862.

⁴⁴ William Baxter, *Pea Ridge and Prairie Grove or, Scenes and Incidents of the War in Arkansas* (1864; repr., Fayetteville: University of Arkansas Press, 2000), 79-80.

⁴⁵ O.R., I.22 (pt. 1): 229; Moneyhon, “Disloyalty and Class Consciousness in Southwest Arkansas, 1862-1865,” 127.

Perhaps the most unpopular of Hindman's policies, conscription, provoked the largest uproar from everyday Arkansans. The negative response of Arkansans to Hindman's strict enforcement of conscription confirms Albert B. Moore's argument that conscription "did not harmonize with the individualistic instincts of Southerners and with their conception of genuine manhood" and that "where the law pressed most heavily opposition to it was strongest."⁴⁶ Within Holmes's December 1862 letter to Davis, he, in fact, cites "almost universal opposition" to the conscription law and, in particular, its exemptions.⁴⁷ As Carl Moneyhon explores in his article on the subject, opposition to the conscription law was particularly heated in Southwest Arkansas. Here, Hindman had appointed Major James T. Elliott to the unenviable post of local enrolling officer and commandant of conscripts. In this capacity, Elliott led a small band of troops to both quell uprisings and compel citizens to enroll. Sometimes, opposition to conscription would lead to violence as in the case of a Southwest Arkansas "union league" led by William J. Wyatt. The members of Wyatt's league swore an oath to stand firm "for each other" in the face of Confederate opposition. After an uprising against Confederate authorities in Calhoun County, at least three members of Wyatt's union league were hanged by Confederate authorities. The fate of Wyatt himself was never recorded.⁴⁸ Another instance of organized rebellion occurred in the South Arkansas town of Magnolia on January 6, 1863. In an effort to resist the conscription law, a group of forty to sixty men of various ages formed a line at a local conscript camp and promptly walked

⁴⁶ Albert Burton Moore, *Conscription and Conflict in the Confederacy* (New York: The Macmillan Company, 1924), 17-18.

⁴⁷ Moneyhon, "Disloyalty and Class Consciousness in Southwest Arkansas," 121.

⁴⁸ James Byrn Case File (Calhoun County, Arkansas), Southern Claims Commission, 19; Moneyhon, "Disloyalty and Class Consciousness in Southwest Arkansas," 121-22, 126-27, 29.

out of the camp to show their refusal to cooperate.⁴⁹ A regimental surgeon from Camden, Junius Newport Bragg, experienced local resistance to conscription through his duties of performing physicals on potential draftees. While examining the conscripts, Bragg wrote to his fiancé that the men had developed all sorts of “imaginary diseases” to evade the draft. Furthermore, on July 31, 1862, he articulated the negative attitude of many of the local soldiers who were “forced into service, and then their officers forced upon them.”⁵⁰ Judge Brown of Camden spoke to the discontent in South Arkansas regarding conscription throughout his diary. On July 6, 1862, Brown wrote that the “Conscript Law is forcing thousands of unwilling men from their homes,” many of them with young families. Later, on July 18, he reported that poor families in Camden, Arkansas, were particularly unhappy with Hindman’s policies regarding conscription. And still later, on March 19, 1863, after Hindman had already left Arkansas, Judge Brown again spoke to the “excitement” caused by the conscription law in Camden. After several groups of twenty, thirty, or forty men banded together against “enrollment,” the Confederate military responded with violence, in some cases shooting or hanging the dissidents. Those who escaped punishment frequently “left the country to join the enemy.”⁵¹

However, public outcry over conscription was not limited to Southwest Arkansas. In mountainous Perry County west of Little Rock, ninety-four men formed a local company to serve in the Union army after the county was “turned wrong side out in search of conscripts by

⁴⁹ Wyatt William and others to Harris Flanagin, January 17, 1863, Kie Oldham Collection, Arkansas State Archives; Moneyhon, “Disloyalty and Class Consciousness in Southwest Arkansas,” 121.

⁵⁰ *Letters of a Confederate Surgeon, 1861-65* (Camden, Arkansas: The Hurley Co., 1960), 76, 83.

⁵¹ Judge Brown Diary, July 6, July 18, 1862, March 19, 1863.

Hindman and his fellow-murderers and oppressors.”⁵² While stationed in northern Mississippi in June 1862, Lieutenant Colonel Daniel Harris Reynolds of the First Arkansas Mounted Rifles wrote that many of his peers were discussing the conscription law back in Arkansas and many were “against it and desiring to go to Arkansas to fight” against it.⁵³ In Monroe County, the local Confederate conscription officer knocked on the door of John Crisp, a well-known Unionist, and informed him that he was required to report for duty. Apparently not making himself available to the officer, Crisp was then captured and imprisoned for evading conscription. Eventually, with the help of his wife who claimed that she was deathly ill and wanted to see her husband before she passed, Crisp escaped and fled to Federal lines.⁵⁴

Despite harsh criticism on the part of Albert Pike, James Butler, John Eakin, and others, some citizens accepted Hindman’s argument of military necessity and defended his actions. His supporters included the editors of Little Rock’s two most prominent newspapers, Richard H. Johnson of the *Little Rock True Democrat* and C.C. Danley of the *Arkansas Gazette*. It is no surprise that the inhabitants of Little Rock seem to have been the most supportive of Hindman’s policies, particularly martial law. Hindman directed the vast majority of his energy to protecting Little Rock from Union invasion. Johnson and Danley believed that Hindman’s declaration of martial law, enforcement of conscription, and promotion of guerrilla warfare all served to defend the capital city. Indeed, as early as June 12, 1862, Johnson remarked that Hindman, “whose energy is a prominent trait in his characters, is untiring in his efforts to give the Yankee Hessians a proper

⁵² Qtd. in Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill: University of North Carolina Press, 1934), 44.

⁵³ *Worthy of the Cause for Which They Fight: The Civil War Diary of Brigadier General Daniel Harris Reynolds, 1861-1865*, ed. by Robert P. Bender (Fayetteville: University of Arkansas Press, 2011), 59.

⁵⁴ James Crisp Case File (Monroe County, Arkansas), Southern Claims Commission, 20-21.

reception.”⁵⁵ On June 14, Danley penned a lengthy defense of Hindman’s home manufacturing drive to produce ammunition, materiel, and arms. Articulating Hindman’s oft-repeated notion of military necessity, Danley argued that the policy was “necessary to our present well being, if not to our existence.”⁵⁶ Johnson, in particular, offered a vigorous defense of martial law in his editorials. On July 3, Johnson described the state as “full of thieves and robbers” with “depredations and deeds of lawlessness...being daily perpetrated with impunity.” Because the “civil authorities seem to be utterly powerless,” Johnson believed that Hindman’s declaration of martial law was well justified. Indeed, he argues that the policy was “done not to oppress or annoy, but to protect the loyal citizen” and was, in fact, the “only means at hand to afford protection.”⁵⁷ Thus, martial law was nothing short of a necessity. Later, on July 17, Johnson continued in his defense of Hindman, this time with even more boldness. In a not-so-subtle editorial entitled “A Few Words to Fools,” Johnson declared that “this stuff about toleration, respecting private property, and protecting innocent citizens is the veriest [sic] hypocrisy ever put in form of words.” Furthermore, he argued that in this “war for freedom or slavery,” the people of the South must understand that there was “no middle course, -- no neutral ground, -- no temporizing.”⁵⁸ Thus, more succinctly than Hindman ever did, Johnson refuted the entirety of Pike’s libertarian sensibilities with the hard hand of military necessity. Completely rejecting any notion of Confederate constitutionalism, Johnson argued that victory required extraordinary sacrifice that stemmed from an unflagging devotion to the war effort.

⁵⁵ Dougan, *Confederate Arkansas*, 99; Little Rock, *Arkansas True Democrat*, June 12, 1862.

⁵⁶ Little Rock, *Arkansas Gazette*, June 14, 1862.

⁵⁷ *True Democrat*, July 3, 1862.

⁵⁸ *Ibid.*, July 17, 1862.

In addition to martial law, Danley and Johnson also vigorously defended and promoted Hindman's controversial policy of encouraging guerrilla warfare. On June 26, two days after Hindman issued his June 24 proclamation essentially declaring a people's war against General Curtis and the Army of the Southwest, Johnson printed an article explaining the effectiveness of partisan warfare as a means of making a Federal invasion of Little Rock "too hazardous a business to be made profitable." Furthermore, he argued that "it is our right and our duty to annoy and harass the invader in every conceivable way."⁵⁹ Danley issued a similar call to arms in conjunction with Hindman's June 24 proclamation. He encouraged "every man capable of bearing arms" to respond to Hindman's call "at once" because it was "now in the power of our people to rid the State of her invaders."⁶⁰ And, on July 10, Johnson reprinted an editorial from the *Memphis Appeal* of June 28 that applauded General Hindman and the people of Arkansas for "making a glorious opposition to the invaders of their State" through "partizan [sic] triumphs of the most decided character." The *Appeal* described a "system of partisan warfare" in Arkansas that had "become so general that no federal soldier dares trust himself from his camp fire." Indeed, the *Appeal* argued that to "harass, annoy, and destroy the enemy, wherever he can be found...is legal warfare" that should be promoted in "the example of the brave Arkansans."⁶¹ To Hindman, Johnson, and Danley, guerrilla warfare proved to be an effective tool in protecting Little Rock from a Union advance under Curtis. They had "driven out the invader," and that, in and of itself, proved the success of the policy.

Ultimately, however, Hindman's promotion of guerrilla warfare had far-reaching repercussions that the man himself scarcely conceived of at the time. Indeed, after Hindman left

⁵⁹ *True Democrat*, June 26, 1862.

⁶⁰ *Arkansas Gazette*, June 28, 1862.

⁶¹ *True Democrat*, July 10, 1862.

the state in March 1863, Arkansas continued to spiral into unregulated guerrilla violence. Several scholars have tackled the issue of guerrilla violence in Arkansas from 1862 to 1865 including Daniel Sutherland, Robert Mackey, and Carl Moneyhon. They generally agree that after the Battle of Pea Ridge, the Confederate military initially abandoned Arkansas as a strategic dead end thus allowing the local populace to fend for itself with limited assistance from the War Department. They also agree that, by the end of 1862, the war in Arkansas had devolved into a guerrilla war or, potentially, a people's war.⁶² By the later years of the war, Arkansas became saturated with guerrilla violence, a phenomenon that has been explored well by Sutherland.⁶³ In identifying the crux of this deterioration into guerrilla conflict, however, there is more confusion. Mackey argues that Arkansas experienced the "Confederate government's only planned and executed guerrilla conflict," an argument that falls short when the specifics of the planning and execution are examined. The critical player here is Thomas C. Hindman. Though he points to Hindman as a key figure who "would change the nature of the conflict in the state by ordering its inhabitants to launch the only organized people's war in the short history of the Confederacy," he frames Hindman essentially as an extension of the Confederate high command. Indeed, in his article in Sutherland's *Guerrillas, Unionists, and Violence on the Confederate Home Front*, Mackey incorrectly

⁶² Mackey explains that Arkansas "became a backwater of the conventional war after the 1862 battles of Pea Ridge and Prairie Grove." See Robert R. Mackey, "Bushwhackers, Provosts, and Tories: The Guerrilla War in Arkansas," in *Guerrillas, Unionists, and Violence on the Confederate Home Front*, ed. Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 1999), 171; Dougan identifies the defeat at Pea Ridge as the moment that "signaled the abandonment of Arkansas by the Confederacy." See Dougan, *Confederate Arkansas*, 87; Moneyhon argues that Pea Ridge "destroyed Confederate authority in the region" leaving little more than "anarchy" at work in remote Northwest Arkansas. See Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 124-25.

⁶³ Sutherland argues that southern Missouri and northern Arkansas "had become a vast no-man's-land as of the winter of 1862-63." See Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 133.

states that Jefferson Davis named Hindman to the command in the Trans-Mississippi.⁶⁴ As explored above, Beauregard appointed Hindman, not Davis nor the War Department nor anyone in Richmond. In fact, the earliest that Davis could have learned about Hindman's appointment was through a June 9 letter from Earl Van Dorn in which Van Dorn informed Davis of Hindman's transfer and assured him that the situation in Arkansas was under control.⁶⁵ Hindman was not taking orders from Richmond, and, as such, Hindman could hardly be considered an extension of the Confederate high command as Mackey claims. His policies were his own, not those of Jefferson Davis or the War Department. Indeed, in considering the descent of Arkansas into a state of widespread and uncontrolled guerrilla violence, Hindman must be considered the critical actor. His encouragement of partisan units and irregular warfare through General Orders No. 17 and his later circulars galvanized the already prevalent partisan bands throughout the state and opened the doors to the indiscriminate use of guerrilla violence. Though not all partisan bands that wreaked havoc from 1863 onward were established under the auspices of Hindman's June 17 General Orders No. 17, his authorization served as an endorsement of guerrilla warfare on the part of the Confederate government in Arkansas. With the order and his subsequent encouragement of guerrilla violence against Union forces, Hindman fundamentally altered how the Confederate state in Arkansas would chose to wage war.

Though Hindman's encouragement of irregular warfare proved successful in preventing Samuel Curtis and the Union Army of the Southwest from reaching Little Rock, guerrilla violence

⁶⁴ Mackey repeatedly connects Hindman's actions with the "Confederate high command" or "Confederate leadership" in his chapter on guerrilla warfare in Arkansas. For example, he claims that the defeat at Pea Ridge "led the Rebel leadership to turn to irregular warfare." See Robert R. Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 25-27; Mackey, "Bushwhackers, Provosts, and Tories," 171-72.

⁶⁵ Abstract of Earl Van Dorn to Jefferson Davis, June 9, 1862, in *The Papers of Jefferson Davis*, vol. 8, 234.

continued to spread throughout the state into the winter of 1862 and 1863, at which point it became utterly uncontrollable on the part of the Confederate military.⁶⁶ In the latter part of his command, it is clear that Hindman began to realize that he had instigated a guerrilla cancer that could not be controlled. In addition to declaring martial law throughout the state in his General Orders No. 18, Hindman also gave the provost marshals throughout the state control over the independent companies formed in their districts under the auspices of General Orders No. 17. Furthermore, with his General Orders No. 20 on July 7, he prohibited the formation of “Partisan Rangers” with the implication that such groups were somehow different from the “Independent Companies” organized under General Orders No. 17 which remained legal.⁶⁷ However, these measures had little impact on the perpetuation of guerrilla violence in Arkansas long after its strategic value had faded and long after Hindman left the state. Indeed, the partisans that Hindman once lauded as loyal soldiers frequently behaved more like wandering marauders. As Sutherland argues, by the end of 1862, a “new type of guerrilla” had emerged who exploited “the chaos of war for personal gain.”⁶⁸ As Joseph M. Bailey, a one-time rebel guerrilla in Southern Missouri and Northern Arkansas, recalled, there was “practically no attempt at discipline” within these bands by 1863. Indeed, these guerrilla bands tended to stage raids “more for plunder than to wage war on armed men.” Bailey recalled partisans taking “horses and cattle,” “household goods, such as clothing,” and “anything of value that could be carried off.” Violence was never far behind. Bailey wrote that most of these raids would result in several deaths, including “non-combatants,

⁶⁶ Mackey, *The Uncivil War*, 37.

⁶⁷ *True Democrat*, July 3, 1862; *Arkansas Gazette*, July 17, 1862.

⁶⁸ Sutherland, *A Savage Conflict*, 125.

old men and boys in their teens.”⁶⁹ After the Confederate defeat under Hindman at Prairie Grove, this kind of guerrilla violence Bailey described spread throughout Northwest Arkansas. In the winter and spring of 1863, Confederate sympathizers raided the homes and properties of local Unionists including Isaac Murphy, a future Reconstruction governor of Arkansas.⁷⁰ But not all guerrilla violence in Arkansas was directed out of malice or greed. As destruction, hunger, and suffering spread throughout the state in 1863, many Arkansans turned to guerrilla warfare out of a desire to protect their families and their property or to avenge violence already committed against their loved ones. Dandridge McRae, a Confederate commander in Arkansas who amassed a wealth of first-hand experience with partisans, described the prevalence of “desperate guerrillas” who took to the woods to avenge a home that “had been given to the flames or a gray haired father shot upon his hearth stone.”⁷¹ Union anti-guerrilla policy in Arkansas, which frequently did not discriminate between civilians and partisans, only hardened vengeful thinking in local communities.⁷² The fate of Hopefield, Arkansas, provides a prime example. In the winter of 1862 and 1863, guerrillas began utilizing the Mississippi River port as a rendezvous to attack Federal steamboats and confiscate cargo. Across the river in Memphis, Major General Stephen A. Hurlbut showed no mercy. On February 1863, he ordered his men to burn Hopefield to the ground because it had become a “mere shelter for guerrillas.”⁷³ By the spring of 1863, much of Arkansas had become engulfed in guerrilla violence provoked by wandering bands of former Confederate

⁶⁹ Joseph M. Bailey, *Confederate Guerrilla: The Civil War Memoir of Joseph M. Bailey*, ed. T. Lindsay Baker (Fayetteville: University of Arkansas Press, 2007), 40.

⁷⁰ Moneyhon, *The Impact of the Civil War and Reconstruction on Arkansas*, 131.

⁷¹ Qtd. in Sutherland, *A Savage Conflict*, 139.

⁷² Mackey describes these “antiguerrilla operations” in 1862 and 1863 as “brutal and retributive, punishing entire communities for the acts of guerrillas who may or may not be members of that community.” See Mackey, *The Uncivil War*, 53.

⁷³ Sutherland, *A Savage Conflict*, 134; O.R., I.13: 230.

soldiers and independent marauders, their allegiances fluid and unclear. As this violence continued to devolve into anarchy, particularly in the Ozark Mountains, large numbers of Arkansans left the state in 1864.⁷⁴ Though they probably did not make the connection, these tired Arkansans had lived with the repercussions of Hindman's misguided policy toward guerrilla warfare.

On March 13, 1863, as the state descended into violence and anarchy, General Thomas C. Hindman left Little Rock with his family to rejoin General Braxton Bragg's Army of Tennessee. By then, Hindman's star had fallen in his home state. Indeed, James D. Butler of the *Arkansas Patriot* declared that, at long last, "Hindman's reign of terror has passed."⁷⁵ Hindman's transfer can be at least partially attributed to the efforts of the Arkansas delegation to the Confederate Congress. "Outraged" by the "silent acquiescence of the administration" regarding the actions of Hindman in the Trans-Mississippi District, the Arkansas delegation took the issue to Jefferson Davis himself. On January 29, 1863, they met with Davis and demanded that Hindman be transferred east because of both his unpopularity and his "distasteful and almost ruinous" use of martial law.⁷⁶ The next day, Davis granted the request through a War Department order relieving Hindman "from further duty in the Trans-Mississippi Department" and ordering him to Vicksburg. However, in the same breath, Davis suspended the writ of habeas corpus in Arkansas, directly contradicting the wishes of the Arkansas lawmakers in Richmond.⁷⁷ On March 14, 1863, as he learned of Davis's actions well after the fact, Arkansas Congressman Augustus H. Garland accosted Davis for his

⁷⁴ Sutherland, *A Savage Conflict*, 212-13.

⁷⁵ *Arkansas Patriot*, March 28, 1863.

⁷⁶ Qtd. in Neely, *Southern Rights*, 25; Abstract of Augustus H. Garland to Jefferson Davis, January 30, 1863, in *Papers of Jefferson Davis*, vol. 9, 46; Abstract of Arkansas Delegation to Jefferson Davis, February 2, 1863, in *Papers of Jefferson Davis*, vol. 9, 47; Neil and Kremm, *Lion of the South*, 156.

⁷⁷ O.R., I.22 (pt. 2): 780.

disingenuous handling of the martial law question and declared that the Arkansas Delegation had “been sadly trifled with...by the administration.”⁷⁸ Indeed they had throughout Hindman’s tenure. In September 1862, having heard of complaints regarding Hindman’s actions coming out of Arkansas, the Confederate Congress asked Secretary of War George W. Randolph for further information on the goings-on in the Trans-Mississippi District. In a sly evasion of responsibility, Randolph stated that the War Department had “no official information” regarding Hindman because he “was not sent to Arkansas by the department, and has never been commanding general of the Trans-Mississippi Department.” Technically, Randolph was correct: Beauregard, not the War Department, had appointed Hindman to what he called the “Trans-Mississippi District,” not the “Trans-Mississippi Department.”⁷⁹ Nonetheless, given the plethora of official letters written to him by Albert Pike from the Indian Territory, Randolph knew full well by September 1862 the actions of Hindman in the Trans-Mississippi District.⁸⁰ Randolph’s evasion of responsibility in September 1862 as well as Davis’s duplicitous treatment of the Arkansas Delegation in March 1863, both surrounding the prickly issue of Hindman’s legitimacy as a Confederate commander and the legality of his autocratic actions, suggest Arkansas’s inconsequential place in the eyes of the

⁷⁸ Abstract of Augustus H. Garland to Jefferson Davis, March 14, 1863, in *Papers of Jefferson Davis*, vol. 9, 100.

⁷⁹ Qtd. from *Report of Major General Hindman*, O.R., I.13: 44; Beauregard appointed Hindman to the “Trans-Mississippi District” on May 27. See O.R., I.10.2: 547. The day before, on May 26, the War Department established the “Trans-Mississippi Department” which included Missouri, Arkansas, Louisiana west of the Mississippi River, Texas, and the Indian Territory, with no apparent consultation with Beauregard and the Army of the West. See O.R., I.13: 829; At the end of May, it appears that the War Department, unaware of Beauregard’s appointment of Hindman, assigned General John Bankhead Magruder to the “Trans-Mississippi Department.” Magruder’s departure from Richmond was stalled due to the ongoing Peninsula Campaign. By mid-July, Hindman’s staff learned of Magruder’s assignment, but they had yet to make any sighting of him. By the fall, never having made it to Arkansas, he had been reassigned yet again to Texas. See O.R., I.13: 832, 837, 841, 855-56, 907.

⁸⁰ For a list of Pike’s letters to Richmond, see footnote 2.

Confederate government. An isolated frontier state, Arkansas sat on the periphery of the Confederacy, and the Davis Administration treated it as such. Though Hindman's actions flew in the face of Davis's own rhetoric regarding Confederate political identity, his isolation made his removal and reprimand a low priority.

The rest of Thomas C. Hindman's career in the Civil War, and, indeed, after the war, amounted to a prolonged attempt to patch up a scarred reputation. After leaving Arkansas in March 1863, Hindman briefly served on a court of inquiry reviewing Major General Mansfield Lovell's defense and evacuation of New Orleans in April 1862 before being reinstated in Braxton Bragg's Army of the Tennessee as a division commander. In this capacity, however, Hindman encountered conflict with Bragg, who partially blamed Hindman for the Confederate failure at McLemore's Cove shortly before the Battle of Chickamauga in September 1863. After a brief suspension, Hindman was reinstated in December 1863 as a division commander in the Army of the Tennessee despite several attempts to be transferred back to the Trans-Mississippi Department. He remained in this capacity until he suffered a severe eye injury during the Battle of Kennesaw Mountain. Offered a leave of absence to recover from his injury, Hindman traveled with his family from Georgia to San Antonio, Texas, carefully avoiding his home state where ill feelings still lingered. Arriving in San Antonio in January 1865, Hindman was quickly forced to face the prospect of a failing Confederate experiment. In June 1865, after learning of his indictment for treason by the United States District Court for the Eastern District of Arkansas, Hindman began packing his bags and, along with several other prominent western generals and politicians, fled to Mexico.⁸¹

⁸¹ Neal and Kremm, *Lion of the South*, 161-62, 169, 177, 181, 196, 197-98, 204,

By the spring of 1867, Hindman had grown tired of the hardscrabble lifestyle of Mexico, and he struggled to make ends meet for his family. Eager to return to Arkansas, Hindman submitted an application for a presidential pardon, hoping to receive the endorsement of his former law partner John C. Palmer and Arkansas Governor Isaac Murphy, who knew Hindman from their days together in antebellum Arkansas politics. While Palmer wrote a positive endorsement to President Andrew Johnson on Hindman's behalf, Murphy did not. One of the most prominent Arkansas Unionists during the war, Murphy merely forwarded Hindman's application without an endorsement. In perhaps a reflection of Hindman's controversial reputation from his time as commander in Arkansas, Johnson denied Hindman's request for pardon. As it turns out, Hindman was never quite able to escape his complicated, destructive, and emphatic career in the Trans-Mississippi District.⁸²

⁸² Neal and Kremm, *Lion of the South*, 222-23.

Epilogue:

Hindman and Civil War Memory

On the warm, early autumn evening of September 27, 1868, General Thomas C. Hindman sat in his living room in Helena, Arkansas, smoking a pipe, his children playing at his feet. Suddenly, at around 9:30 p.m., a shot rang out through an open window and struck Hindman through his neck and jaw. Had not his left hand, which was holding his pipe, been struck, he probably would have died instantly. Regardless, the blood loss was considerable. Hearing the gunshots, neighbors quickly gathered on the porch as Hindman's wife, Mollie, helped him outside to get a breath of fresh air. However, by sunrise the next morning, he was dead.¹

Though thoroughly investigated, the identity of Hindman's assassin was never discovered. Many former Confederates, including former Hindman supporter and *Arkansas Gazette* editor William Woodruff, believed that the Republican Party, attempting to gain a foothold in Eastern Arkansas, was to blame. Governor Powell Clayton, a Republican "carpetbagger" from Pennsylvania, did not immediately offer a reward for information regarding Hindman's murder, thus further stimulating suspicions of a politically motivated assassination plot. Others suggested that the assassin was a disgruntled soldier who had served under Hindman's command during the war or a citizen attempting to avenge Hindman's firm policies from his days as commander of the Trans-Mississippi District. Still others suggested that the assassination had romantic dimensions with the husband of a potential wronged mistress emerging as a suspect. Circuitous and sporadic

¹ Diane Neal and Thomas W. Kremm, *Lion of the South: General Thomas C. Hindman* (Macon, Georgia: Mercer University Press, 1993), 233-34; Jeannie M. Wayne et al., *Arkansas: A Narrative History* (Fayetteville: University of Arkansas Press, 2002), 222-23.

investigations ensued until 1876, all of which were founded upon circumstantial evidence and documents of questionable authenticity. Mollie went to her grave in August 1876 believing, along with many other Arkansans, that his political opponents were responsible for her husband's death.²

Though it has never been proven, this explanation of the assassination, widely shared by white Democrats, is not inconceivable given Hindman's career after the war. Despite having been denied a presidential pardon and still under official federal indictment for treason, Hindman returned to Helena, Arkansas from Mexico in April 1867. Back home, Hindman opened up a law practice, but, never content to sit on the sidelines, he quickly re-immersed himself in local politics. In contrast to the rhetoric of many conservatives, including his wartime opponent Albert Pike, who urged that southern whites should wholeheartedly resist Reconstruction until the southern states were restored to the Union on terms more similar to antebellum times, Hindman argued that southern whites should accept the Reconstruction Act of 1867 and seek to work through the democratic system to unseat Radical Republican politicians. In a new, biracial Democratic coalition, Hindman found some room for African Americans. Though he remained skeptical regarding black suffrage, he argued that local Democrats would better serve the political interests of free blacks than Northern Republicans. By the spring of 1868, Hindman had again emerged as one of the most prominent and provocative figures in Arkansas politics.³

To combat Hindman's compelling oratory, Republicans turned to his war-time reputation, a still-sensitive subject for many Arkansans. John G. Price of the *Daily Republican* reminded voters,

² Neal and Kremm, *Lion of the South*, 235-41; Timothy P. Donovan, Willard B. Gatewood Jr., Jeannie M. Whyne, ed., *The Governors of Arkansas: Essays in Political Biography*, 2nd ed. (Fayetteville: University of Arkansas Press, 1995), 46-48;

³ Neal and Kremm, *Lion of the South*, 222-30; Whyne et al., *Arkansas*, 223.

with considerable hyperbole, that Hindman had “murdered and slaughtered” during the war so “that he might hang up a bloody fragment at the door post of every cottage and cabin in the land” to remind Arkansans of “his fearful and omnipotent power.” Indeed, Price recalled Hindman’s “reign of terror” that was “too fresh in the minds of the people of Arkansas.”⁴ These attempts to malign Hindman were unsuccessful, though, as his popularity as a Reconstruction politician would continue to rise until his untimely assassination in September 1868.⁵

Upon his death, remembrances of Hindman took an almost universally positive turn, forgetting altogether the division and misery wrought by his command of the Trans-Mississippi District. What many called despotism during his career was reimagined as zeal and energy after his death. William Woodruff, editor of the *Arkansas Gazette*, declared that Hindman was “an able general...Arkansas loved him living and mourns him dead.” In October 1868, the *White River Journal* praised him as a “man of great energy and marked ability.”⁶ Despite reports of negative feelings during the war, Hindman’s hometown of Helena, in particular, embraced his memory after the war and well into the late nineteenth century. As late as 1885, a group of Helena attorneys praised Hindman as “a true and loyal gentleman...zealous in defense of right, fearless in denouncing wrong.”⁷ And in 1892, at the dedication of a Confederate monument at Maple Hill Cemetery in Helena, burial site of both Hindman and his good friend General Patrick Cleburne,

⁴ Qtd. in Neal and Kremm, *Lion of the South*, 230.

⁵ Neal and Kremm, *Lion of the South*, 231; Whayne et al., *Arkansas*, 223.

⁶ Qtd. in Neal and Kremm, *Lion of the South*, 234.

⁷ *The War of the Rebellion: Official Records of the Union and Confederate Armies* (Washington D.C. Government Printing Office, 1880-1902) Ser. I, Vol. 13: 683-85. (hereafter cited as O.R.); Here, John S. Phelps, the federal military governor of Arkansas, describes the woeful scene in Helena as of September 1862; *National Anti-Slavery Standard*, August 16, 1862. The *Anti-Slavery Standard*, while reporting on the fall of Helena, described the people of Helena as being antagonistic toward Hindman; Qtd. in Neal and Kremm, *Lion of the South*, 241.

the keynote speaker praised Hindman as “perhaps the most efficient Confederate Major General of the war” and a martyr in the fight against “carpet-bag rule” during Reconstruction.⁸

Thus, by the end of the nineteenth century, Arkansans had reimagined their relationship with General Thomas C. Hindman, a relationship that, during the war, sparked division more than unity and controversy more than pride. Just as many unrepentant white southerners did throughout the South following Confederate defeat, white Arkansans developed an alternative, mythologized history of the war that would allow them to better rationalize their resounding defeat. This alternative history has come to be known as the Lost Cause: a narrative that frames the Southern cause as founded in states’ rights, slavery as relatively harmless, and victory as a matter of Northern overwhelming numbers over Southern skill. As Alan T. Nolan examines in his classical article, “The Anatomy of the Myth,” this Lost Cause mythology permeated through all aspects of the war and transformed the Civil War from “history” to “legend.” In *Race and Reunion: The Civil War in American Memory*, David Blight goes even further, likening the Lost Cause to “a civil religion.”⁹ And though Nolan carefully deconstructs the rhetoric of the myth to outline several overarching tenets, the Lost Cause was not without regional variation. Each Confederate state played a different role in the war, and each had a slightly distinct relationship to the Confederate experience as a whole. Thus, as Nolan and his co-editor, Gary W. Gallagher, suggest by including state-level studies of South Carolina and Georgia in their *The Myth of the Lost Cause and Civil War History*, each Confederate state had to construct its own Lost Cause mythology with

⁸ Qtd. in Neal and Kremm, *Lion of the South*, 241-42.

⁹ For a pithy outline of the tenets of the Lost Cause mythology, see Alan T. Nolan, “The Anatomy of the Myth,” in *The Myth of the Lost Cause and Civil War History*, ed. Gary W. Gallagher and Alan T. Nolan (Bloomington: Indiana University Press, 2000), 12-13; David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2001), 258-60.

its own heroes, villains, and rationalizations.¹⁰ Arkansas was no different. As a frontier state on the periphery of the Confederate war effort that contributed few notable battles, few remarkable heroes, and relatively few troops, Arkansans could not claim the same Civil War identity as a Virginia or a Tennessee. After the war, Arkansas had to reckon with a less-than-sterling wartime legacy that included controversial figures such as Hindman, the specter of guerrilla warfare, and deep internal divisions. Thus, in some of the early histories of the state in the Civil War, Arkansans constructed their own mythologized narrative of the war.

The first two drafts of the Lost Cause narrative of Arkansas's Civil War came from John M. Harrell's entry for Arkansas in the *Confederate Military History* series and David Y. Thomas's *Arkansas in War and Reconstruction*.¹¹ Within these works, particularly the Harrell work, a few potential tenets of an Arkansas Lost Cause emerge, all of them connected to the complicated legacy of Thomas C. Hindman. First of all, these works emphasize the notion of a unified Confederate Arkansas. In describing the Little Rock arsenal crisis of February 1861 in which a group of armed volunteers, timidly supported by Governor Rector, forced the capitulation of a local federal arsenal, Harrell argues that the event "produced a revulsion of feeling, which caused those who hoped to keep Arkansas in the Union to abandon that hope" and "all concurred in the

¹⁰ Gallagher and Nolan, *The Myth of the Lost Cause and Civil War History*, 5-6; For a recent example of a state-level study of the Lost Cause and Civil War memory, see Thomas J. Brown, *Civil War Canon: Sites of Confederate Memory in South Carolina* (Chapel Hill: University of North Carolina Press, 2015).

¹¹ Harrell was a prominent Little Rock lawyer and a colonel in the Confederate army. For a brief biography, see Jno. P. Marrow, Jr., "Confederate Generals from Arkansas," *Arkansas Historical Quarterly* 21, no. 3 (Autumn 1962), 231-46, JSTOR; Thomas was a prominent historian at the University of Arkansas, an early editor of the *Arkansas Historical Quarterly*, and considered by many to be a progressive on racial issues. See Mary Elizabeth Massey, "David Yancey Thomas: Historian," *Arkansas Historical Quarterly* 7, no. 3 (Autumn 1948), 221-26, JSTOR; John M. Harrell, *Arkansas*, vol. 10 in *Confederate Military History*, ed. Clement A. Evans, 12 vols. (Atlanta: Confederate Publishing Company, 1899); Thomas, *Arkansas in War and Reconstruction*.

general desire for independence.” In fact, the event hardly established unity within the state. Unionism remained strong.¹² Furthermore, in describing the May 6 passing of the ordinance of secession, Harrell argues that the near unanimous post-Fort Sumter vote reflected the will of a people “one in interest and sentiment.” This could not be further from the truth. Though the official vote was nearly unanimous and Fort Sumter had produced a brief period of outrage throughout the state, Arkansas was still “fundamentally divided,” as James M. Woods argues, and would continue to be throughout the war.¹³ For Harrell, this unity of sentiment continued under the watch of Thomas C. Hindman. Characterizing him as a man of considerable zeal, ability, and courage, Harrell argues that, as commander of the Trans-Mississippi District, Hindman “established a unity of sentiment that was immediately felt, and...exerted an influence upon the State’s destinies that will not soon, if ever, be destroyed.”¹⁴ Though Hindman’s policies certainly “exerted an influence upon the State’s destinies,” their influence was exactly the opposite of what Harrell described. Rather, Hindman’s policies exacerbated divisions within the state and drove many Arkansans toward disaffection. However, Harrell’s interpretation of Hindman as a firm and tireless unifier fits more comfortably into the Lost Cause narrative of Arkansas as a unified Confederate state.

A second tenet of Arkansas’s Lost Cause narrative is that the Civil War in Arkansas was, by and large, a conventional war. According to this narrative, the irregular war of bushwhackers and guerrillas was merely secondary, a deviation from business as usual in Arkansas. In a way, this

¹² John M. Harrell, *Arkansas*, vol. 10 in *Confederate Military History*, ed. Clement A. Evans, 12 vols. (Atlanta: Confederate Publishing Company, 1899), 11; Jeannie M. Whyne et al., *Arkansas: A Narrative History*, 162.

¹³ Harrell, *Confederate Military History*, 15-16; For a good treatment of political divisions within Arkansas immediately preceding the Civil War, see James M. Woods, *Rebellion and Realignment: Arkansas’s Road to Secession* (Fayetteville: University of Arkansas Press, 1987), 165.

¹⁴ Harrell, *Confederate Military History*, 102-03.

effort to downplay the centrality of guerrilla warfare to Arkansas's Civil War can be seen in the transposition of the more glorious vision of Virginia's Civil War, a war of grand battles and frontal assaults and daring commanders, into the wilds of Arkansas. For example, Thomas's narrative of General Samuel Curtis's mad dash through Eastern Arkansas in the summer of 1862 concentrates heavily on the regular resistance of Confederate Brigadier General Albert Rust than on the critical irregular actions of Hindman's independent guerrilla bands that terrorized the Union flotilla on the White River. Indeed, Thomas reserves one paragraph among several pages for Hindman's authorization of guerrilla warfare along the White River. He even refers to "a sort of Stonewall Jackson raid" made by a small group of Confederate troops against Curtis, again transposing the heroes and gallantry of Virginia's War into Arkansas.¹⁵ Harrell altogether withholds any discussion of Hindman's provocation of guerrillas.¹⁶ By trivializing or ignoring the role of irregular warfare in narratives regarding Arkansas's Civil War, these practitioners of the Lost Cause myth are downplaying the brutality and savagery of the conflict in Arkansas. No historian has pushed back against this mischaracterization of Arkansas's war as a regular conflict more effectively than Daniel Sutherland. In an article in *Civil War Arkansas: Beyond Battles and Leaders*, Sutherland justly argues that guerrilla warfare in Arkansas was "not a war within a war...not even a second war, but the war." With the rare exceptions of Pea Ridge, Prairie Grove, and a few others, "most of the fighting...came from irregular warfare, and it devastated the land and the people."¹⁷ This should be the legacy of Arkansas's Civil War and, indeed, Thomas Hindman's Civil War: a war of

¹⁵ Thomas, *Arkansas in War and Reconstruction*, 142-51.

¹⁶ Harrell, *Confederate Military History*, 104-21.

¹⁷ Daniel E. Sutherland, "Guerrillas: The Real War in Arkansas," in *Civil War Arkansas: Beyond Battles and Leaders*, ed. Anne J. Bailey and Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 2000), 133.

asymmetrical violence among civilians and soldiers alike, not a war of set-piece battles among generals. Anything else is mere mythology.

Finally, in attempting to explain the complicated career of Thomas Hindman, the Lost Cause narrative of Arkansas's Civil War deemphasizes the centrality of martial law in Hindman's wartime policy. Though Harrell and Thomas mention Hindman's declaration of martial law, they frame the policy as a last-ditch effort to save a fallen state, not as the centerpiece of Hindman's attempt to create a well-oiled military state. Indeed, both Harrell and Thomas frame the disagreement between Pike and Hindman as purely jurisdictional, not ideological, and they make no mention of Pike's heated discussion of martial law in his anti-Hindman letters. Harrell argues that the crux of the disagreement emerged from Hindman's entrenching "upon the military rights of General Pike" by ordering him to transfer troops, an action Harrell believes was justified. Furthermore, Harrell alleges that Pike's fiery letters only challenged "Hindman's authority to command in matters not strictly military."¹⁸ Thus, Harrell simplifies the conflict between Hindman and Pike down to a mere jurisdictional tussle. He neglects the depth of the arguments made by both Hindman and Pike, perhaps because Hindman's realpolitik reasoning contradicts the purported libertarian principles of the Confederacy. If the Cause was states' rights and decentralized government, Hindman the practitioner of military necessity and architect of a centralized military state hardly fits as a Confederate hero. Thomas accepts Harrell's interpretation of the Pike/Hindman conflict as solely jurisdictional, and he makes no mention whatsoever of martial law.¹⁹ This neglect of martial law contributes to the Lost Cause narrative of Arkansas's Civil War. Hindman cannot at once be a heroic savior of Confederate Arkansas and an

¹⁸ Harrell, *Confederate Military History*, 121-26.

¹⁹ Thomas, *Arkansas in War and Reconstruction*, 185-88.

authoritarian military despot. Indeed, if it took an authoritarian despot and a centralized military state to defend Confederate Arkansas, what does that say about the Confederate nation more broadly? Perhaps, that its infrastructure and governance were too frail to succeed at all. By ignoring Pike's grievances against Hindman's use of martial law, practitioners of the Lost Cause mythology can frame Hindman as a Confederate hero without revealing the authoritarian steps he took to achieve success.

In remembering Thomas C. Hindman, the Lost Cause of Arkansas embraces the powerful image of the man himself without reckoning with his specific actions and their radical implications. Thus, if Hindman was to be a Confederate hero, Arkansans would have to remember him not as an authoritarian modernizer, but as "able," "efficient," a "man of great energy," and "zealous in defense of right," as they did after his death.²⁰ Instead of Hindman the tyrannical despot who stomped upon the rights of Arkansans, we see Hindman the courageous general who did whatever it took to save a helpless Arkansas. Instead of a tyrant, we see a savior. Instead of a conspirator against Confederate principles, we see a defender of the Confederate war effort.

In reality, both Hindman the tyrant and Hindman the savior are founded upon their own respective truths. Both interpretations retain some validity. Originally, Hindman entered Arkansas with the singular goal of driving out the invader and defending Little Rock. In this singular goal, he succeeded against all odds. He singlehandedly mobilized a "frontier" state by constructing a complex military bureaucracy, mobilizing a command economy, and using guerrilla warfare in an initially successful attempt to halt the Union advance. But, in creating this centralized military state, he tested the limits of his own authority and of the Confederate national experiment. By declaring martial law and establishing a strict military bureaucracy, he contradicted the central

²⁰ Qtd. in Neal and Kremm, *Lion of the South*, 234, 241.

tenets of Confederate political culture and helped spread war-weariness throughout Arkansas. His initial effectiveness sent a clear message that a successful Confederate war effort had to put aside lofty political ideologies to accomplish the pressing military task at hand. But the spread of desertion and disaffection throughout the state during and after his command suggested that this pill of mobilization was too hard to swallow for many southerners. Finally, the spread of civilian violence throughout the state indicated that waging a Confederate people's war against the Union would be untenable and uncontrollable.

Despite the unmistakable influence he had on the progress of the Confederate war effort in Arkansas, General Thomas C. Hindman remains largely forgotten in the collective memory of the American Civil War, even among Arkansans. Unlike David O. Dodd, Arkansas's "boy martyr of the Confederacy" who was hanged as a Confederate spy in 1864, Hindman retains little commemoration. And unlike Dodd, who was memorialized in 1911 in a stained glass window at the Museum of the Confederacy in Richmond and who continues to be enshrined through a small 1923 monument beside the Old State House in Little Rock, there are no monuments to Hindman in Arkansas.²¹ Even in Helena, Arkansas, his grave is surprisingly missing from the magnolia-clad Confederate shrine in the far corner of Maple Hill Cemetery. There, from one of the highest points in Helena, a stone soldier commemorating Arkansas's Confederate dead peers down the hill, across the graves below, and toward the Mississippi River. Beside the Confederate monument stands a smaller, but just as ornate, obelisk: the grave of General Patrick Cleburne, Hindman's

²¹ Nancy Hendricks, "David Owen Dodd (1846-1864)," *The Encyclopedia of Arkansas History & Culture*, last modified December 30, 2016, accessed March 23, 2017, <http://www.encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?entryID=2536#>; US Department of the Interior, National Park Service, "National Register of Historic Places Registration Form: David O. Dodd Memorial," Arkansas Historic Preservation Program, April 26, 1996.

good friend and fellow Helena lawyer. Missing from this whole Confederate reunion of sorts is Hindman's grave. Instead of being hidden away in the shrine atop the hill, Hindman's marker stands prominently just beyond the entrance to Maple Hill Cemetery on Holly Street. This presentation is fitting, perhaps, for a man who preferred plain action to lofty talk. The Hindman Family plot is denoted with a newer obelisk of unadorned granite. Lacking the ornate embellishment of the Cleburne marker, Hindman's obelisk stands prominently but humbly. Hiding behind the tall, granite family marker, a much smaller and older stone obelisk denotes Hindman's actual grave, its weathered text nearly illegible. Standing not much more than three feet off the ground, Hindman's diminutive grave marker seems overwhelmed by its surroundings. Sometimes, one may find a small Confederate flag leaning against Hindman's tiny obelisk, its red background faded and its edges tattered. In all likelihood, the person who placed that flag had a far different conception of what its "stars and bars" represented than Hindman did. In Hindman's eyes, the Confederacy did not represent lofty ideals of states rights or decentralized government. Indeed, it *could* not. Rather, it meant winning a war through economic mobilization, civilian sacrifice, suspended civil liberties, irregular warfare, and military necessity. Ironically, Hindman understood what that flag had to stand for to be successful when few other Confederates could allow themselves to come to that disorienting conclusion. How quickly romantic mythologies of the Confederacy fall apart when figures like Hindman emerge from the pages of history and force us to think twice about the realities of war.

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