

law, and that I would do all acts necessary to make that determination effective. In coming to this conclusion I considered that the main object of all law is the public safety, and that the evident necessity of departing from the letter of the law in order to accomplish its object would more than justify me in the eyes of my superiors and of intelligent patriots everywhere.

"The first difficulty to be met in the execution of this purpose was the attempt of the Governor of Arkansas to raise a State force upon the basis of his formal pledge not to transfer it to the Confederate service. Under the most favorable circumstances, two different military organizations would antagonize, rather than help, each other. I had witnessed this result in Arkansas at the commencement of the war. After much trouble and embarrassment General Hardee had finally obtained the consent of the State authorities to transfer their troops; but this agreement was trammelled with the condition that each and every soldier should decide the question for himself. Taking advantage of this, the adjutant general of the State (E. Bergevin) and two of the general officers (James Yulee and N. B. Burrow) came near defeating the whole plan. In Northwestern Arkansas out of over 3,000 soldiers only 18 consented to be transferred. In Northeastern Arkansas nearly half of the first regiment approached on the subject decided to go home. To prevent further losses, General Hardee devolved on me the duty of effecting the transfer of the remaining four regiments. It was done by hurrying to their camps and mustering them into the Confederate service before the Adjutant-General of the State could reach them.

"Warned by this experience and remembering the Governor's late threat of secession, I represented to him that I should feel constrained to apply the provisions of the conscript act to his troops and to impress whatever stores he might accumulate. He abandoned the attempt, and transferred to the Confederacy the few troops already raised, together with all military property of the State.

"I now directed the enrollment and organization into companies and regiments of all men in Arkansas subject to conscription. Absentees from commands east of the Mississippi were to be included, but with a memorandum stating their proper companies and regiments. Substitution was prohibited, because I regarded it as certain to increase the difficulties, already too great, that were in my way.

"To encourage volunteering, it was announced that they who should form companies by June 20 would be permitted to elect their company officers, but that in all other cases the company officers, and in all cases, the field and staff officers, would be appointed. Under the conscript law these men were to be distributed among the old regiments, depriving them of all right to elect officers of any grade. I enlarged, instead of curtailing, their privileges.

"Laying off the State into convenient districts, I appointed a commander over each, giving him control of the enrolling officers within his district, authorizing him to purchase or impress arms, ammunition, and the necessary supplies, and assigning to him a quartermaster and commissary. Of these staff officers bonds were required in the penalty and according to the form prescribed by law.