The Preacher, the Lawyer, and the Spoils of War

by Kim Allen Scott

THE DAY THE YANKES came to his farm, Harvey Henderson Edmiston probably watched the approaching caravan of wagons and blue-clad soldiers with a hint of quiet self-confidence. The forty-five-year-old Washington County, Arkansas, farmer had a secret weapon in his pocket on this cold December day in 1862: a note signed by Brig. Gen. James G. Blunt himself, guaranteeing the safety of Edmiston’s property from government confiscation.1 Harvey managed to wangle his safeguard from the Federal commander sometime during the previous two weeks when the contending armies of North and South swept past his property on their way to the bloodletting at Cane Hill and Prairie Grove, Arkansas. He considered himself fortunate in convincing Blunt of his loyalty, especially since he had sold a pair of mules at a handsome profit to the Rebels just two months previous at Evansville, Arkansas.2 The four hundred Confederate dollars gained from the sale were safely stashed, and with his oldest son, Tom, away in the southern part of the state, Edmiston only had his youngest children at home, presenting an acceptable picture of domestic tranquility to any inquiring Northern soldiers.

Capt. William A. Martin, Company G, Seventh Missouri Cavalry, and commander of the forage detail, reined up in front of Edmiston’s house with a group of teamsters and “contraband” laborers. Martin informed the farmer that his men needed supplies for the hungry soldiers of the Army of the Frontier and demanded to know what foodstuffs the farmer had in his home. Edmiston fished out his safeguard and presented it to the Yankee officer, explaining that with five children in his household, all under the age of ten, he really had no food to spare.

“I don’t care for your paper!” snapped Martin callously, “I have my orders and we’ll take your property anyway!” He brushed past the bewildered farmer and entered the house, quickly surveying a large stash of fine red apples stored in the loft while his teamsters helped themselves to a half hog in the smokehouse. Edmiston watched helplessly as the marauders loaded up the pork and Captain Martin directed a second wagonload of soldiers to enter the house to get the apples.

This second group of soldiers terrified Edmiston even more than had Captain Martin. They were Kansans, and, as they leapt from the wagon in front of his house, Edmiston saw that they were armed with the largest guns he had ever seen. Staring beyond their huge, brass-barreled muskets, he studied the faces of the six soldiers, memorizing their features as they pushed through his doorway. They may have laughed roughly as they loaded up the eight bushels of fruit, bragging about the reception their comrades in Company B would give them when they returned with the prize. Edmiston probably even heard the name of their regiment as they drove off to rejoin the caravan heading towards Cane Hill: the uniformed robbers were from the Eleventh Kansas Infantry.3

The impact of the Civil War on Arkansas residents like Harvey Edmiston has been the subject of several published articles. Historians often tell the story of civilian suffering during the conflict by presenting a broad overview of many different events, separated by time and distance, in order to best utilize the scant records available for consultation. While they may be valuable contributions to our understanding of the past, these sometimes generalized historical inquiries usually fail to give the reader a sense of what passions

---

2. “Civil War and Other Records of a Washington County Merchant,” Flashback 10 (July 1990): 22. This transcription of receipts from the C. W. McClure store at Evansville shows that on September 15, 1862, Edmiston sold two mules to Capt. J. B. Mayes of the First Cherokee Battalion, CSA, for $400, but in the Washington County Tax Records for 1861, Edmiston listed the value of the mules to be only $150.
motivated civilian and military participants in Arkansas during the terrible Civil War years. Explaining away the depredations committed by the Union and Confederate armies simply as wanton acts of warfare is to reduce historical figures to stereotyped cardboard cutouts. By focusing the historical microscope on the events surrounding one particularly well-documented occurrence, the robbery of the Edmiston farm on December 12, 1862, this study may help the reader gain a better sense of the 1860s zeitgeist in northwestern Arkansas. Nineteenth-century people, like their twentieth-century counterparts, were a complex mixture of petty jealousies, hatreds, and prejudices. Occasionally they acted on their impulses with predictable results, as Harvey Edmiston found out the day the Yankees came to his farm.

Before one can fully understand the incident that occurred at the Edmiston farm in 1862, the careers of two pivotal characters in the story, Col. Thomas Ewing, Jr., of the Eleventh Kansas Infantry, and Col. William F. Cloud, of the Second Kansas Cavalry, must be discussed. As the results of this investigation will demonstrate, the friction between these two men probably had as much to do with the pilfering of Edmiston’s apples as the six privates who actually lugged the fruit away.

Privilege and ambition: these two themes appear to dominate the life of Thomas Ewing, Jr. Born in 1829 and the son of a U.S. senator from Ohio, Ewing
enjoyed a comfortable childhood befitting of his family’s status and influence. That influence was shown clearly when young Thomas worked at several appointed government jobs in Washington, D.C., even before his 1854 graduation from Brown University. After receiving his law degree from the University of Cincinnati in 1855, Ewing traveled to Kansas Territory where he established a law partnership with his brother Hugh and brother-in-law, William Tecumseh Sherman. His talents as a barrister largely remained untapped, however, because Ewing, in the words of one researcher, “found town lot speculation and the making of loans to settlers far too exciting to allow much time for the mundane practice of law.”

Thomas Ewing’s political portrait is somewhat difficult to draw. In regard to slavery, he politely could be referred to as a “moderate” whose pragmatic alliance with Kansas abolitionists did not interfere with opportunities to make money. For example, when it appeared that the free-state movement had gained the upper hand in Kansas after 1857, Ewing not only accepted a politically expedient figurehead position on the board of the Leavenworth, Pawnee, and Western Railroad Company (which had been organized by proslavery advocates), but also lobbied Congress for land grant assistance with Andrew Jackson Isacks, a Louisiana-born advocate of southern rights.

By the summer of 1862, any aspiring Kansas politician could see that an acceptable service record would not hurt his chances to continue in public service, and Ewing, who had been appointed chief justice of the Kansas Supreme Court in 1861, prepared to accept a commission as colonel of a new regiment of infantry being organized for the Union cause. He stumbled the state for recruits to fill the ranks of the Eleventh Kansas Infantry and met with enthusiastic response everywhere he spoke. It is possible that political ambition also could account for some of the motives spurring the men who flocked to Ewing’s banner. He wrote to his father in late August describing the calibre of volunteers attracted during his recruiting tour:

The people are greatly aroused, and men of the highest character and intelligence are going in as privates. In Jackson County every lawyer (5) volunteered—three ministers, three merchants, and every county officer save one. There will be a great deal of competition for the company and field officers, there being so many qualified for the places.

6. Ibid., 15.
7. Ibid.
8. Thomas Ewing, Jr., to Thomas Ewing, Sr., August 29, 1862, Ewing Papers.
In Topeka, newspaperman Edmund G. Ross managed to convince the personnel in his printing office to join him in Ewing's regiment, while another editor, Preston B. Plumb of Emporia, also jumped on the military bandwagon. Thomas Moonlight, a Leavenworth County attorney who held a captain's rank in the adjutant general's department, resigned his commission when Ewing offered him the lieutenant colonelcy of the Eleventh. All three of these men had been outspoken abolitionists, and their election to the various officer's positions during the regimental balloting that September may have suggested to Colonel Ewing what the rank and file of Kansas voters expected of their leaders.

When the Eleventh received the call to the front on October 4, 1862, it was armed hastily with oversized antique Prussian muskets, the only weapons the quartermaster at Fort Leavenworth had to spare. Shouldering the .72 caliber smoothbores, the regiment marched south to join Brig. Gen. James G. Blunt's division of the Army of the Frontier and help smash the rebellion. Their long and uneventful journey ended temporarily at Pea Ridge, Arkansas, on October 25, when the Eleventh reported for duty at General Blunt's headquarters. Blunt, a former physician who had been so active in the Kansas abolitionist movement that he worked with the likes of John Brown, placed the Eleventh in the third brigade of his division under the immediate command of Col. William Frederick Cloud of the Second Kansas Cavalry. Ewing was at odds with his new commander almost immediately.

The personality of William F. Cloud is harder to assess than that of Thomas Ewing because, unlike the lawyer-turned-soldier, Cloud's personal papers do not appear to have survived. Like Ewing, Cloud was an Ohio native who traveled west to seek his fortune, but there the similarity between the two ends. Cloud's parents were simple farmers, and he early showed a disposition for two widely divergent vocations: soldiering and preaching. When the war with Mexico broke out, Cloud joined the Second Ohio Infantry as first sergeant of Company K, and stayed with the army all the way from St. Louis to Mexico City. After the war he lived for a time in Michigan, and then emigrated to Kansas in the year of 1858. There, Cloud became active as a preacher in the Methodist church and ran a huckstering business at Emporia until his services as a soldier were again required in 1861. He accepted a commission as major of the Second Kansas Infantry in early May and saw combat during Brig. Gen. Nathaniel Lyon's southwest Missouri campaign the following summer. Cloud's regiment was used up badly during the battle at Wilson's Creek, losing nearly a third of its number, and later became reorganized as a cavalry force under his command as colonel.

Regardless of his military talents, Colonel Cloud appeared every inch a soldier with his intelligent eyes, drooping mustache, and shoulder-length hair. He quickly established a reputation as a no-nonsense disciplinarian with a genuine concern for the welfare of his troops. During a September 1861 expedition in Jefferson County, Missouri, Cloud overruled his commanding officer and ordered a withdrawal of his men when overwhelming enemy forces threatened the Union soldiers with annihilation. Troopers of the Second discovered their leader would not tolerate the molestation of civilians when he approved a drumhead court-martial conviction on July 10, 1862. Private John Bell of Company I was found guilty of raping a woman near Lola, Kansas, and was hanged. Cloud demonstrated his compassion and tact later that month when he was sent to escort Chief John Ross of the Cherokee Nation to the Union lines, along with the tribe's archives, from Tahlequah in Indian Territory. Even though he had just returned from fighting hostile Indians farther west on the plains, Cloud treated his charges "with the distinguished consideration due them." In the words of one admiring officer who served under him, Colonel Cloud was:

a man easily approachable, stood little on his dignity as a commanding officer, mingled freely with all classes, chatted pleasantly to all who came to him; and made them feel that all were equally interested in the Union cause, which championed the rights of the plain people, and he easily won their respect and confidence.

With such attributes as those listed above, it is easy to see how the diverse backgrounds of William F. Cloud and Thomas Ewing, Jr., could have led to a stormy military relationship.


Colonel Cloud may have first run afoul of his ambitious subordinate during the battle of Fort Wayne, Indian Territory, on October 22, 1862. General Blunt received word that a large force of Confederates were gathering in the Indian Territory just west of Maysville, Arkansas, and determined to drive them out. Colonel Ewing eagerly sought to lead his regiment against the enemy for the first time and became enraged when Cloud galloped past the slow-moving infantrymen with the Second Kansas Cavalry, routing the enemy before the Eleventh Cavalry could even arrive on the field. In a letter to his wife, written a few weeks afterwards, Ewing expressed his contempt for his commanding officer, predicting, "He and I will have a collision certain. . . . If he had any brains I could stand him better, but he has none. He is not fit to command more than a company."15

Following the fight at Fort Wayne, the Army of the Frontier settled into a lengthy bivouac at Lindsey's Prairie, a wide expanse of grassland on the state line about twenty-five miles southwest of Bentonville. Here Cloud and Ewing continued to irritate each other while performing the boring duties of foraging and drill. Even their animals appeared to sense the animosity between the two. At a grand review of the division held in mid-November, Colonel Ewing had the Eleventh at attention in its proper place among the other regiments while Colonel Cloud cantered up on his horse to inspect the troops. Cloud extended his compliments to the commander of the Eleventh, and Ewing ordered his regiment to present arms. Cloud's horse, probably excited by the unexpected glare of one thousand brass-barreled muskets held forth in the bright November sunshine, suddenly kneedled down in front of Ewing, causing the infantrymen to trot nervously in the ranks while the cavalryman struggled to retain his seat.16 If there ever was any chance the two soldiers might resolve their differences, it may have evaporated after the farcical debacle of this review.

The difference of opinion between the former lawyer and the former preacher over the treatment of civilian property proved to be their most hotly contested issue. During the fall of 1862, the Army of the Frontier operated in northwestern Arkansas under the direction of Special Order 87, which regulated the confiscation of Rebel property. Congress had passed the Second Confiscation Act on July 12, 1862, allowing the Union army to use captured property at its own discretion, but each particular unit interpreted the law in varying degrees of severity by means of special orders. The exact particulars of Special Order 87, the guidelines General Blunt's army used to implement the Confiscation Act, may never be known since a whole copy does not appear to have survived.17 However, one can safely assume that Colonel Cloud particularly concerned himself with Paragraph Eight since he quoted it angrily in an exchange with Colonel Ewing that December. According to Cloud, Paragraph Eight stated that the "order to take property from disloyal persons must be issued from the brigade or division headquarters," and he insisted that the proviso be observed. Ewing, and many men in his command, may have been convinced that almost all Arkansans could be classified as "disloyal," and resented headquarters' restraint on their plundering. Unlike Cloud, Ewing had been a resident of Kansas since the turbulent days of the mid-1850s and sympathized with the passions his men felt against southerners. Even soldiers from other northern states who had never personally suffered deprivations at the hands of proslavery "border ruffians" could feel the same callous attitude of Kansans concerning Arkansan civilians. As one Iowa boy stationed at Helena bluntly put it, "If my hand touches any rebel's [sic] valuables I expect they will stick to my fingers."18

As long as General Blunt ordered the raiding, no conflict between Cloud and Ewing over confiscation could ferment. During the interim between the battle of Fort Wayne on October 22 and the battle of Cane Hill on November 28, Ewing's men participated in numerous foraging expeditions which involved the confiscation of civilian goods. William Brown, a miller who lived near Elm Springs, Arkansas, became one of the earliest Arkansas settlers to experience the Kansas brand of warfare on November 4 when a contingent of the Eleventh Infantry under Major Plumb arrived to confiscate livestock, grain, and vegetables from the "rank 'secess.'"19 Other settlers were raided during the expedition and a tannery burned at Cincinnati, all with the blessing of the commanding officer of the Army of the Frontier.

Circumstantial evidence suggests that Blunt may have repented his army's vigorous pursuit of property as the weeks dragged on. Aside from the two known safeguards he issued to Arkansas civilians in December 1862,20 Blunt also authorized the publication of a

17. A search through series 1, volumes 13, 22, and 34 of Official Records of the War of the Rebellion has failed to produce a copy of this order. These volumes record the actions of the Army of the Frontier.
18. Minos Miller to Martha Hormandy, August 12, 1862, Minos Miller Letters, Special Collections, University of Arkansas Libraries.
Union “foraging” details were depicted in the popular press, adding to the controversy over confiscation.
statement by troops under his command which denounced the pillage by some, calling the acts "disgraceful to the perpetrators and calculated to bring discred upon the whole army and upon the cause for which the army is fighting." 29 Colonel Ewing probably grew impatient with any softening at headquarters on the issue of confiscation and sided with subordinates who opposed Blunt's demonstrations of leniency. "I am afraid I will have trouble here with Blunt as well as Cloud," wrote Ewing to his wife on December 2, "but cannot well explain the cause, all of which, however, are traceable to political jealousies." 30 Regardless of whatever political jealousies Ewing may have been referring, his subsequent correspondence shows the bickering over confiscation played a major part in the former lawyer's estrangement from his commanding officer.

Squabbles over civilian property rights were temporarily forgotten on November 28, 1862, during the battle of Cane Hill, Arkansas, but the test of wills between Ewing and Cloud continued in another fashion. General Blunt's spies informed him a day before the battle that a large force of enemy cavalry occupied the southwestern Washington County town of Cane Hill, and Blunt immediately organized an expedition against the Confederates. More than five thousand men, including the Eleventh Infantry and the Second Cavalry, marched until midnight to reach a point about fifteen miles from Cane Hill. At 5:00 on the morning of the 29th, Blunt's army resumed the march by following a rather difficult and little used country lane which led directly south to the town. Colonel Ewing's men struggled along with their heavy muskets, while Colonel Cloud's horsemen rode in file behind them, possibly urging them on at an uncomfortable pace. When advance elements of Blunt's command made contact with the enemy at 10:00 a.m., the Eleventh Kansas Infantry was still several miles behind, struggling over a steep hill. Blunt urgently requested reinforcements, and once more Ewing watched the horsemen of the Second Cavalry pass his doughboys to engage the enemy. Vowing not to be left behind again, Ewing ordered his men to march alternately at quick and double quick steps, a grueling pace even without the encumbrance of their heavy packs and weapons. 25

The Confederate force at Cane Hill had no intention of holding back the superior numbers hurled against them and made a running fight. Brig.

Gen. John Sappington Marmaduke, commander of the Rebel army, only made stands long enough to delay his pursuers before withdrawing farther south towards the safety of the Boston Mountains. The constant running, deployment of flanking skirmishers, and reforming to continue the chase proved particularly hard on the Yankee infantrymen. As Ewing described the situation to his wife:

My regiment was nearly run to death, going incessantly from 5 a.m. to 9 p.m., and travelling full 35 miles with their blankets on their backs—and yet Cloud complained of them for not outracing the cavalry which kept the road during the fight while we struggled through the bush for ten miles—the puppy."

When the Yankees camped at the Confederate's old position at Cane Hill, it appeared as if the Army of the Frontier would undergo another lengthy, boring bivouac with little to do other than forage and drill. Colonel Cloud now decided to express his own views on army discipline by issuing General Order 15 on December 4, 1862. The former preacher declared that his brigade would observe a regular system of drill and daily inspections during its stay in the enemy's country, and ordered Colonel Ewing to "adopt such police regulations as will secure at all times the men in your entire command in camp (except those on detail)." 28 Ewing disobeyed the last proviso almost immediately by allowing several members of Company E to commandeer an abandoned printing office in the village for production of a regimental newspaper, but he at least insisted his men follow closely the regulations found in Paragraph Three of Cloud's order. This command required that, in order to conserve ammunition, no one was to fire a weapon without authorization and demanded an arrest penalty for discharging a gun for any reason other than combat. The men of the Eleventh did follow Paragraph Three to the letter, if not the spirit, as became evident after the battle at Prairie Grove.

The Rebel army under the command of Maj. Gen. Thomas C. Hindman met the combined forces of the First, Second, and Third divisions of the Army of the Frontier at Prairie Grove, Arkansas, on December 7, 1862. After a vicious one-day fight, during which the Eleventh Kansas performed gallantly on the battlefield's western section, the regiment again retired to camp at Cane Hill and resumed foraging expeditions to supplement the hardtack, salt pork, and coffee provided by the quartermasters.

22. Thomas Ewing, Jr., to Ellen Ewing, December 2, 1862, Ewing Papers.
24. Thomas Ewing, Jr., to Ellen Ewing, December 2, 1862, Ewing Papers.
On December 12, 1862, Lt. William V. Phillips, Company C, Eleventh Kansas Infantry, rode out from the main camp at Cane Hill to inspect a guard post manned by soldiers belonging to Company I. The darkened sky threatened rain that afternoon, and when Phillips arrived at the outpost, he discovered the men half-starved and suffering from a fever. The soldiers had to be sent on guard without a ration, and when they tried to gnawing on the tasteless hardtack wafers stuffed in their knapsacks, they killed one of the hogs they saw milling around the farmer's house. Remembering the strict orders against discharging their firearms, the obedient soldiers bayoneted the pig before confiscating it. Several chickens also were killed. By the time Phillips reached them, the guard detail had butchered the hog, neatly dressed the carcass, and wanted to return to camp in order to roast their meat. Phillips dismissed the men and watched the soldiers file slowly back down the road. Private skating and five of his comrades also carried sacks of apples, probably liberated from the same farm with the pork and poultry.

Unfortunately for the privates of Company I, Col. William F. Cloud picked that very evening to inspect the guard post and met the plunderers along the road. With rage at the ragtag caravan of thieves, Cloud demanded their names and unit, and then threatened each one with flogging for their pilfering. Cloud was still seething with anger the next morning when a local farmer asked to see the commanding officer and was shown to his tent. The long-haired cavalryman listened as Harvey Henderson Edmiston told his story about the stolen apples, and then Cloud inspected the farmer's crumpled safeguard signed by General Blunt. This report provoked Colonel Cloud. The situation Edmiston described, that of losing a half hog and several bushels of apples to Kansas soldiers, appeared to be exactly the same as what Colonel Cloud had seen along the roadway the previous evening. Cloud sat down at his camp desk and scribbled out two documents, both addressed to Col. Thomas Ewing, Jr.

The first document Cloud penned detailed the crimes as far as he understood them and demanded the arrest of 1st Lt. Josiah McAfee, Company I, for distributing the guard and allowing his men to plunder. Cloud finished with a curt order for Ewing to search his entire regiment for large red apples, arrest all soldiers found in possession of the same, and a warning that these things must cease.

Colonel Cloud then turned his attention to Edmiston. Calling an orderly to his tent, the cavalryman ordered an escort for the farmer and handed him a second note: "Col. Ewing, The bearer of the man who had his safeguard violated yesterday. You will assist him in identifying the guilty parties, and if any are convicted, report the same for punishment." Edmiston took his leave from Colonel Cloud's headquarters and headed for the camp of the Eleventh Kansas, while the cavalryman occupied himself with other matters, likely satisfied that the unlawful members of Ewing's infantry would be brought to justice. But if the former preacher felt that justice had been served by issuing the two orders, he failed to reckon with the skillful maneuverings of the former lawyer under his command.

When Colonel Ewing received the first note from Colonel Cloud, he went to work on the second loophole he found. Lieutenant Phillips of Company C, not Lieutenant McAfee, had relieved the guard yesterday, and Ewing called Phillips to his tent for an explanation. The young subaltern, possibly with Ewing coaching him, prepared a carefully worded statement correctly identifying himself as the officer who had dismissed the guard, but disavowing any responsibility for the bayoneted hog and stolen apples. Phillip's defense for relieving the guard was based entirely on the weather: he maintained that it was raining when he made the decision to dismiss the outpost.

The next piece of business required considerable tact on the part of Colonel Ewing. Harvey Edmiston arrived in the camp and the regiment formed into line while the colonel escorted the farmer past the men. Edmiston singled out Privates Robert Owing, James Wells, A. J. McCleary, Joseph Stanley, Duelly Bronson, and James Terrel, all of Company B, as the men who entered his house the day before. There was little use in denying their guilt, but Colonel Cloud's specific charge against the soldiers was for violating Edmiston's safeguard rather than stealing the apples. Ewing carefully interviewed Edmiston to establish the exact sequence of events. The farmer agreed that the privates standing before him were indeed the ones who took his apples, but the rude officer who waved aside his safeguard was not among them. Ewing then wrote out a statement for the accused enlisted men.


admitting that they took the fruit, but only after being ordered to by Capt. William Martin. Turning to Edmiston, Ewing read the statement and requested the farmer to endorse it. Edmiston wrote the following on the bottom of the document: "So far as the transactions referred to and partially set forth in the statement tends to impute the men whose names are signed above, the statement is correct."

Apparently satisfied, Edmiston returned to his farm while Ewing prepared an addendum to his statement: "You will perceive by the enclosed that the charge of forcing the safeguard does not lie against my men," he smugly informed the preacher, "and that the case is one out of my jurisdiction and directly under yours."

When Colonel Cloud received the two reports from the Eleventh Kansas Infantry the next day, he had to admit the lawyer had outfoxed him:

Your skill in clearing your foragers is commended, especially in view of the fact that a wagon master's order is permitted to render null and void the orders of division and brigade commanders. . . . When I charge men with straggling and marauding, I propose to sustain the same, especially with an eye witness. If Lieutenant Phillips was in charge of the guard, you will for the present release Lieutenant McAfee and return him to duty."

But Ewing was not finished. Angered to distraction over what he saw as Cloud's incessant meddling with his command, the former lawyer decided to act before army headquarters made permanent by promotion any of the current brigade command positions occupied by Colonel Cloud, Col. William Weer, and Gen. Frederick Solomon. On the night of December 14, 1862, Ewing dipped his pen in acid to write a confidential letter to Brig. Gen. James H. Lane, the fiercely abolitionist Kansas political leader, in regards to the relative merits of the Army of the Frontier's brigade commanders.

As to Cloud, he is as high, as Colonel, as his capacity warrants. A general should have capacity beyond a drill and a dash . . . But there are other things to be considered. Weer and Cloud both cling to the West Point policy of treating treason as respectful and the property of traitors as sacred. Under cover of a clamor against mean and detestable outrages rarely occurring and universally condemned, they would prohibit all use of secession property . . . ."
it." Not even obvious Union sympathizers were spared. On the night of December 12, Yankee soldiers visited the house of Lina Hermann at Dutch Mills just a few miles away from the Edmiston place. Just like Harvey Edmiston had done that same afternoon, the German housewife presented a safeguard signed by General Blunt, but the soldiers took what they wanted anyway. Rumors of the Yankee pillaging in Washington County spread far beyond Arkansas' borders. Albert O. McCollum, a soldier in the First Arkansas Cavalry stationed in Mississippi, became unsettled when he heard rumors from home in February 1863. "Since the Cane Hill fight I have heard the Federals took all your horses and Old Sam and the wagons," he wrote to his parents near Fayetteville. In his letter to General Lane, Colonel Ewing sidestepped the issue of the frequency in which his men plundered by resorting to political rhetoric. He emphasized his point for the "privileges and just indulgences of our noble soldiery" by asserting "the Democratic, not the Republican policy, prevails in the Army of Republican Kansas," and appealed that the promotion to the third brigade commander be granted to Col. William A. Phillips, then in command of one of the Union army's Indian regiments.

Ewing did not stop pestering his commanding officer after sending his letter to General Lane. He ordered his men to seize any good mules they came across on December 20th and was again reprimanded by Colonel Cloud for violating Order 87. As if to purposely antagonize his superior, Ewing, the next day, sent directly to Cloud a routine request for chickens and vegetables from Dr. J. D. Adams, superintendent of one of the emergency hospitals at Cane Hill. Cloud returned the request with an expedited reply for his subordinate to check the division regulations. Ironically, Ewing's feud with Cloud jeopardized the one thing he cared the most about—his military record. The commander of the Eleventh exhibited extraordinary bravery on the field at Prairie Grove, but he worried that Colonel Cloud would prevent his rightful citation in the official reports. During the confusion of the battle, Ewing acted temporarily under the orders of Col. William Weer of the Second Brigade, and although Weer praised highly in his report all the soldiers who followed his orders during the fight, he also added, "Due credit will doubtless be given them in reports from their proper commanders." Ewing sent a copy of Weer's indirect commendation to his wife on December 18, complaining, "I suppose Cloud would slander the whole regiment if he could without flagrant and notorious falsehood. As it is, he will probably not allude to it. He is the pettiest creature out of petticoats."

But Cloud did allude to the Eleventh Kansas in his report of the battle, and in a manner which should have shamed his suspicious subordinate:

Colonel Ewing, of the Eleventh, and the captains and lieutenants ... are all worthy of their brave commands. These officers went into the thickest of the fight, and said [sic] there until, by order or of necessity, the whole line fell back to more effective positions.

In all fairness to Colonel Ewing's suspicions, it should be stated that Cloud wrote his report on December 18, three days after Weer had submitted his own. It is possible that the former preacher felt compelled to mention the Eleventh favorably after reviewing the text of Weer's report.

The feuding between the preacher and the lawyer came to an end with the closing of the year 1862. Ewing indicated in a letter home to his wife that his officers planned to petition for placement in another brigade, and by December 31 a general reorganization of the Army of the Frontier's First Division accomplished just that. Col. William Weer replaced General Blunt as division commander, and the Eleventh Kansas was placed in the First Brigade under Col. William R. Judson. Colonel Cloud accepted the command of the Second Brigade, consisting of his own regiment, the Second Kansas Cavalry, and the Tenth and Thirteenth Kansas infantries. The Third Brigade, incorporating all three Indian regiments, fell to Col. William A. Phillips.

---

55. Amanda Braly to Carrick Braly, November 15, 1862, Amanda Malvina Fitzallen McCollum Braly Family Papers, Special Collections, University of Arkansas Libraries.
56. Ewing, Herman of Old Hermannading, 50.
57. Albert O. McCollum to Robert McCollum, February 1, 1863, Robert McCollum Family Papers, Special Collections, University of Arkansas Libraries.
58. Thomas Ewing, Jr., to James H. Lane, December 14, 1862, Ewing Papers.
60. Memorandum, J. D. Adams to Thomas Ewing, Jr., December 21, 1862, (addendum signed by Thomas Ewing, Jr., and William F. Cloud), Ewing Papers.
Colonel Cloud finished out his Civil War service in Arkansas and the Indian Territory, gaining many battlefield distinctions but no further promotions. He holds the unique distinction of being the only Civil War cavalry commander ever to have captured four enemy steamboats, brilliantly executed during a raid on Van Buren, Arkansas, at the end of December 1862. He also took part in a daring rescue of a surrounded Union army garrison at Fort Gibson, Indian Territory, in July 1863, breaking through the enemy lines with a numerically inferior force and fighting his way back out again.46

Following the war, William Cloud made his home in Carthage, Missouri, where he served as a collector of internal revenue for the U.S. government. Towards the

46. Kansas City (Ks.) Sun, March 10, 1905.
end of his long life, Cloud wrote a history of Mexico which, if not a sterling testament of racial tolerance, at least demonstrated his continuing interest and sympathy for people and cultures different from his own. He died in Kansas City in 1905. 47

Thomas Ewing, Jr., achieved even higher goals than avoiding further service under Cloud’s command. On March 13, 1863, Ewing was promoted to the rank of brigadier general and eventually given command of the District of the Border in western Missouri. Time and military honor had not mellowed his philosophy for dealing with southern sympathizers, however. Following a vicious raid against Lawrence, Kansas, in August 1863, by William Quantrill’s guerillas, General Ewing issued the notorious “Order No. 11.” This manifesto forcibly depopulated four border counties of Missouri which had been used as a base by the guerillas and made no distinction between those who were loyal to the Union cause and those who sympathized with the rebels. 48

Thomas Ewing never lived down Order No. 11. The incident became associated permanently with him after artist George Caleb Bingham produced a dramatic painting, Orders Number 11, in 1879. The painting, which depicted a Missouri farm family being forced by dispassionate Yankee soldiers to vacate their property, quickly became an American classic and visually reinforced the image of Thomas Ewing, Jr., as a ruthless conqueror. 49 Ewing eventually returned to Ohio after the war where he unsuccessfully attempted to claim his father’s old position in the U.S. Senate and the governorship of the state. He never got any further than two brief terms in the House of Representatives after Buckeye voters became acquainted with his war record. Ewing died in 1896 after being run over by a New York City streetcar. 50

Harvey Henderson Edmiston survived the war with his family and farm intact. In fact, the Edmiston farm is still in the hands of his descendants, making it one of the oldest continuously owned family farms in Washington County. 51 The thievery of Edmiston’s apples had two results pertinent to our inquiry, however. Thomas Alexander Edmiston, Harvey’s eldest son, enlisted with the Thirty-fourth Arkansas Infantry on November 22, 1863, at Camden, Arkansas. He no doubt joined Company B of this Confederate regiment because it consisted almost entirely of his neighbors from Washington County, but the timing of his decision to enter Confederate service could possibly be a result of the treatment his family received from Kansas soldiers the previous fall.

Harvey Edmiston probably experienced further loss of his property as the war dragged on, and he kept a tally of his damages. On June 17, 1871, he filed a claim with the U.S. government for $527 in compensation. Although the farmer presented adequate documentation to present his demand to Fayetteville claims agent George W. M. Reed, there is no record that the government ever repaid him for losses endured during the 1862 animosity between the preacher and the lawyer from Kansas. 52

47. Ibid.; W. F. Cloud, Church and State, or, Mexican Politics from Cortes to Diaz Under X-Rays (Kansas City: Peck and Clark, 1896).
50. "Famous Personages," back cover; Bootner, Civil War Dictionary, 270.
51. Fayetteville Chamber of Commerce, Pioneer Farm Family Award, September 4, 1987. Award presented to the Harvey Henderson Edmiston family in cooperation with the Washington County Farm Bureau.
53. Walter J. Lemke, "Claims for Forage and Other Supplies Taken by U.S. Army," Flashback 8 (September 1988): 8. The original manuscript volume of George W. M. Reed cited by Lemke in his article is at the Fayetteville Public Library. Edmiston’s claim is recorded on page 28 with a notation by Reed that the case would be forwarded to September 29, 1873. There is no record in Reed’s book of the ultimate disposition of this claim.