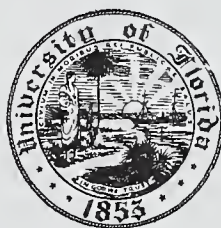




<http://stores.ebay.com/Ancestry-Found>

UNIVERSITY  
OF FLORIDA  
LIBRARIES



<http://stores.ebay.com/Ancestry-Found>

Digitized by the Internet Archive  
in 2015

<https://archive.org/details/chroniclesofokla2219okla>











Volume II

June, 1924

Number 2

---

# CHRONICLES OF OKLAHOMA

Issued Quarterly

By

The Oklahoma Historical Society

Subscription to Non-Members,  
Two Dollars per Year



## CONTENTS

William Parker Campbell

The Medicine Lodge Peace Council.....	Alfred A. Taylor
The Centennial of Fort Gibson.....	Grant Foreman
Warren's Trading Post.....	W. H. Clift
"The Cherokee Question".....	Joseph B. Thoburn

---

OKLAHOMA CITY, OKLAHOMA



# Oklahoma Historical Society

976.6  
C577  
v.2

---

## OFFICERS

JASPER SIPES\_\_\_\_\_President  
PAUL NESBITT\_\_\_\_\_Vice President  
THOMAS H. DOYLE\_\_\_\_\_Vice President  
JOSEPH B. THOBURN\_\_\_\_\_Secretary  
MRS. JESSIE R. MOORE\_\_\_\_\_Treasurer  
W. P. CAMPBELL\_\_\_\_\_Custodian

---

## Chronicles of Oklahoma

### Publication Committee

Paul Nesbitt

Grant Foreman

Mrs. Emma A. Estill

---

Joseph B. Thoburn, Managing Editor





William P. Campbell



# Chronicles of Oklahoma

---

*Volume 2 No. 2*

---

*June, 1924*

---

## WILLIAM PARKER CAMPBELL

Of him who writes, it shall be written. The chronicler himself passes into history. William P. Campbell, the real founder, nestor and for many years the custodian in active charge of the collections of the Oklahoma Historical Society, is no more, his death having occurred at the home of his son, Wayne Campbell, in Oklahoma City, on Sunday morning, May 4, 1924.

William Parker Campbell was born at St. Joseph, Missouri, December 17, 1843. He was the second son of Elisha and Nancy (Dillon) Campbell. In the paternal line he was of Scottish extraction though the family had long been resident in America. His great-grandfather, John Campbell, was a Virginian who rendered conspicuous service in the American army during the Revolutionary War. His mother's people were from the South. Her father was a pioneer Methodist preacher, who was a circuit rider in the southern states and in Illinois for more than sixty years, serving as a contemporary and fellow laborer of Peter Cartwright and other scarcely less noted prophets of homespun righteousness of that period.

When William P. Campbell was a lad in his middle 'teens, his parents moved back to Illinois and Indiana, driving through in a wagon, just as nearly everybody else moved in those days. Several years later, they returned to Missouri, where they continued to live until the outbreak of the Civil War. They then moved again, settling at Nemaha, Nebraska. Living on the extreme frontier of that period, it was not strange that the wild life of the Great Plains should have beckoned to young Campbell. In company with a cousin of his own age, he entered the overland freighting service as a "bull-whacker" with a wagon train. He soon tired of the roughness and brutality of

such a life, however, and he was glad to return to the more quiet pursuits of a journeyman printer, for he had served an apprenticeship in "the art preservative of arts" in his early youth. It was at this period that he was in the employment of Col. R. W. Furnas, a publisher at Brownville, Nebraska, who was afterward elected governor of the state.

His father's family having returned again to Illinois, he followed thither, where he embarked in the newspaper business on his own account, as the publisher of the *Home Banner*, at Augusta. Shortly after the close of the Civil War, he moved to Iowa, where he was engaged in the newspaper business successively at Tama City, Vinton, Brooklyn and Newton for brief periods. In 1869, he moved to Kansas, settling in Washington County. For a time he was a pioneer homesteader and then a town-site projector. But soon the old longing for the smell of printer's ink became too strong to be resisted and he was back in the harness as editor and publisher of the *Waterville Telegraph*. Thence, in 1877, he moved to Wamego, Kansas, where he established the *Tribune*, which he published for many years.

While living in Kansas, Mr. Campbell took an active part in politics and he served two terms as register of deeds of Pottawatomie County. Incidentally, he had some experience as a railroad promoter, wrote several books and an occasional poem or play on the side. He served as a division chief of the Census Bureau for a year during the compilation of the results of the eleventh census of the United States, living at Washington during that time.

He came to Oklahoma in 1892 and, the following year, assumed the duties of deputy register of deeds of Kingfisher County, his brother, J. B. Campbell, then a resident of Hennessey, being register. While publishing a newspaper in Kansas, nearly fifty years ago, he had been interested, if not partially instrumental, in helping to institute the Kansas State Historical Society. A few months after beginning his work in the court house at Kingfisher, the Oklahoma Territorial Press Association convened, for its annual session, in that town. Of course, it was but natural for William P. Campbell to mingle in such a crowd. Indeed, there were several "formerly of Kansas" men in the newspaper fraternity in Oklahoma in those days. It was during one of the sessions of that meeting that Mr. Campbell

obtained recognition to propose the organization of a historical society for Oklahoma. And so it was that the Oklahoma Press Association sponsored the institution of the Oklahoma Historical Society, May 27th, 1893. Mr. Campbell was elected as the custodian of the Society.

The county commissioners of Kingfisher County furnished a room in which the beginnings of the collections of the new Society could be assembled. The custodian and his brother furnished stationery and postage and means for other small incidental expenses and thus the newly created "institution" made its bid for popular interest and support. What was lacking in the way of support was more than made up by the never failing enthusiasm of the Society's projector and custodian. A year and a half later, a report was rendered to the Territorial Legislative Assembly and it was asked to make a modest appropriation for the support of the Society's work. A bill was accordingly introduced. Later on, certain amendments, innocent enough in appearance, were tacked on and the measure was passed. Custodian Campbell was instructed to ship the collections of the Society to the Territorial University, at Norman, which he did. After the collections were duly installed, he was informed that his services were no longer needed. So much for heartless politics!

When Mr. Campbell left Norman, he left Oklahoma and it knew him no more for nearly nine years. During that time he was engaged in newspaper work at Topeka, Atchison, St. Joseph, Kansas City and elsewhere. The collections of the Oklahoma Historical Society were moved from Norman to Oklahoma City in the latter part of 1901. Something over two years later, it became apparent that the work of the Society was making no headway. The custodianship went begging for the reason that it did not pay enough to justify any one devoting all his or her attention to its affairs. At this juncture, William P. Campbell was called back to Oklahoma to take up the work—a work to which his life was so whole-heartedly devoted throughout its remaining twenty years.

When the fact is recalled that Mr. Campbell's education was such as the lads of sixty to seventy years ago could obtain in the district school and the country printing office, it is not necessary to state that he was not technically trained for the



work which he was called upon to do in blazing the trail for the beginnings of the Oklahoma Historical Society. But not all the technical training in the world can make a pioneer and William P. Campbell was a very real pioneer. Some of the work which he did was crude but crudeness is distinctive of pioneering. Had Oklahoma had to await the day of a technically trained efficiency before inaugurating the effort to gather and save her historical data, much of it which he gathered and saved might have been lost beyond recovery. That the gathered grain may not be entirely free from chaff is no discredit to the hand that made it safe and secure—others may winnow but he was the harvester.

Mr. Campbell was married in 1867, to Miss Mollie E. Wayne, of Johnstown, Pennsylvania. Mrs. Campbell died in 1918. To this union there were born three sons and three daughters. Two children died in infancy. One daughter died in California, two years ago. Two sons and one daughter—Wayne Campbell, who is at the head of the department of public expression in Oklahoma City University, Robert M. Campbell, of Kansas City, and Mrs. Coila Duncan, of Los Angeles—survive.

The world was not always kind to William P. Campbell. His faith in his fellow men had been shaken, not once, but many times. Yet he was not embittered in consequence of this. At times disposed to be somewhat cynical because of inconsistencies which are all too prevalent, he never became selfish in turn. On the contrary, he persistently refused to judge all of humanity by the deeds of its baser individual specimens. He was not merely a friend to his fellow men in the mass but he always insistently tried to find something good in the "down and outer" whom nearly everyone else held in contempt. It was impossible for him to turn a deaf ear to an appeal for help when it came from one in distress. Indeed, it has been truly said that he was better to everyone else than he was to himself. So he went to his reward, poor in purse but rich in the spirit of charity and helpfulness.

His fellow workers in the Oklahoma Historical Society will miss him, for not only did he come and go with clock-like regularity but his interest in all that pertained to the Society remained undimmed to the end. He had some vagaries and

hobbies—there are few of us who have not. For more than a dozen years he published a little quarterly periodical which he called *Historia*. As a historical society publication, it was so utterly unlike any other as to be in a class of its own. But, while it is being replaced by a publication of more conventional form and makeup, the files of *Historia* will be treasured with other priceless items in the Society's library.

In bidding a final farewell to this worthy old pioneer, who has followed his pioneer forebears across "the Great Divide," the officers, directors and workers of the Oklahoma Historical Society take this means of testifying their affectionate and appreciative regard for his memory and giving expression to a justly merited recognition of his achievements.

THOMAS H. DOYLE

JESSIE R. MOORE

JOSEPH B. THOBURN

## MEDICINE LODGE PEACE COUNCIL

Although more than a half-century has passed since the Medicine Lodge Peace Council was held, in the fall of 1867, I readily recall many interesting events of the trip and many exciting scenes I witnessed on that ever memorable occasion. In my teens at the time, and, like most boys, full of the spirit of adventure, I sought, together with my friend Henry M. Stanley, some sort of position with the Commission that would afford me an opportunity to go along. Stanley was then a Washington correspondent of the New York Tribune, with whom I had become acquainted when he first came to the capital. Having access, by reason of the fact that my father was Commissioner of Indian Affairs, and being acquainted with the officials, I used to get items for Stanley for his paper, in the Interior Department. Mr. Ashe White of the Indian Office—a good friend—was elected secretary of the Commission. Though the influence and active efforts of this most valuable friend Stanley was designated by his paper to go as its official correspondent, and I was appointed as an assistant secretary. So the door of opportunity was now wide open to us and our hearts went to our throats!

The Commission, authorized by Act of Congress and appointed by the President, consisted of Generals Sherman, Harney, Terry, Auger and Sanborn; United States Senator John B. Henderson, of Missouri; Colonel Samuel Tappan, of Massachusetts, and Nathaniel G. Taylor, of Tennessee—the last named having been chosen president. General "Kit" Carson was originally appointed a member, but became ill and could not serve, and General Augur was appointed in his place.

The task of this Commission was a most important and difficult one, involving, as it did, the settlement of a war which had been going on for more than three years; the settlement of claims for damages growing out of the massacre of peaceable Indians by Chivington at Sand Creek, Colorado—which caused the war; and claims growing out of the destruction by Hancock's troops of the Cheyenne "Dog Soldier" village at Pawnee Fork, Kansas—which prolonged the war and made the pacifica-



tion of the Indians much more difficult; the adjustment of claims for back annuities, and the removal of the various tribes from old to new reservations.

The question of getting the warring Indians together at a given point was a problem that gave the Commission more concern than any other feature of the undertaking, for it felt sure that if it could secure an audience with them it could ultimately win their confidence and induce them to join in a treaty of peace. To give plenty of time to get word to all the tribes concerned and to give them ample "cooling time," the date for the assembling was fixed three months in advance and the place agreed upon was Medicine Lodge. Military operations were suspended and all the civil and military authorities, agents, traders, interpreters, half-breed scouts and friendly Indians at or near the theatre of war, were put to work to carry out the plans of the Commission. In the formulation of these plans, Colonel Leavenworth, Colonel A. G. Boone—grandson of Daniel Boone—General Kit Carson, Colonel Denman, Major E. W. Wynkoop, Senator E. G. Ross, Governor S. J. Crawford, Governor Root, A. C. Hunt and many others, were in constant co-operation, and in executing them.

Major Edward W. Wynkoop, James R. Mead, William Matthewson, Black Beaver—the scout and guide—Jesse Chisholm, John S. Smith and George Bent were conspicuous. Major Wynkoop was agent of the Araphoes and Cheyennes, and was very popular with these tribes, as well as all neighboring tribes, and his services, from beginning to end, were immensely valuable.

The first council held by this Commission was with the Ogallalla and Brule Sioux and some of the Northern Cheyennes at North Platte, Nebraska, in September, 1867. On the way to this meeting there was only one untoward circumstance that impeded our progress. In the vicinity of Boone and Council Bluffs, the grasshoppers actually stopped the train! They lit on the tracks so thickly that they were converted into *grease* as they were mashed by the wheels: the wheels would turn with a whiz all right, but would refuse to go forward. The process of sanding the tracks enabled the train to proceed "by fits and jerks," but we were detained for hours in getting to Omaha. The reader will no doubt question the accuracy of this statement

when the fact is stated that the farmers of that region in those days often looked up into the sky and beheld flying clouds of grasshoppers darkening the sun and lowering above the green corn fields; in an hour they looked again and beheld only a desolate waste of bladeless corn-stalks, the melancholy monuments of blasted hopes and vanished prosperity!

Reaching Omaha at last, we "put up" at a hotel which stood near and in sight of the residence of the noted George Francis Train. I believe its name was Hotel Kennedy. It was here that the writer first met William F. Cody, a young man, who subsequently became famous the world over, as "Buffalo Bill."

Arriving at North Platte at the appointed time, the Commission immediately went into council with the Indians there assembled, "Spotted Tail" being the most conspicuous figure. But efforts to negotiate a treaty here failed, after a three day's pow-wow. The failure to agree, as the writer now remembers, was owing partly to the contrariness of "Spotted Tail," and partly to the absence of some of the Northern Cheyennes. At all events, this council adjourned with the understanding that it would meet again and finish the treaty at Fort Laramie, where the Commission was to meet and treat with the Crows, Northern Cheyennes, Utes, and other tribes, the following spring.

All eyes were now turned toward Medicine Lodge, where the great council was soon to take place, with the wild and hostile tribes of the Southern Plains. So the Commission and its entourage set out from Omaha, late in September, for Medicine Lodge, its final destination. Its immediate destination was Ellis, Kansas, the end of the Kansas Pacific Railway, then being constructed.

I presume Medicine Lodge took its modern name from an old Kiowa medicine lodge then still existing, intact, five miles below the point, on the Nescatunga River,<sup>1</sup> where this council was to be held. The location is in Kansas, only a short distance from the Oklahoma line. Vast stores of supplies of every kind had been previously shipped to Ellis, to be transported to their destination in army wagons.

Arriving at Ellis on schedule time, we found Major Elliott, of the Seventh U. S. Cavalry, with conveyances and a military





Governor Alfred A. Taylor



escort of five hundred regulars and four mountain howitzers, in waiting. The leading newspapers of the country had sent special representatives to attend the council, and they were also on hand—Baker, of a St. Louis daily; Bulkley, of the New York Herald; Jack Howland, of Harper's Weekly; Stanley, of the New York Tribune; and James E. Taylor, of Frank Leslie's, were conspicuous among these correspondents. It was about the first of October when the expedition formed and started on its long journey.

Besides the immense wagon train, fifteen or twenty ambulances were provided, to transport the Commission, attaches, newspaper men and their necessary belongings. We young men, knowing that we were going to pass through the buffalo range, each provided himself with a trained horse for chasing buffalo. General Harney, by reason of his experience as an Indian fighter, was made commander of the expedition. General Sherman was detained by official business and did not rejoin the Peace Commission until after the council on the Medicine Lodge.

We proceeded on our journey by way of Old Fort Ellsworth, Fort Harker and Fort Larned—then the outer military post. The expedition spent the night at Harker, also at Fort Larned. From this point we proceeded south, crossing the Arkansas River nine miles from the fort at what was then called "Big Bend." Travelling in a southerly direction after crossing the river, camps were pitched at Walnut Creek, where we were accessible to water and where we spent the night. We were compelled to resume our journey very early the next morning, in order to reach Cherry Creek, which was the next nearest watering place. Leaving Cherry Creek next day at our leisure, we reached Rattlesnake Creek in the middle of the afternoon, where it was necessary, on account of water, to again pitch camp to remain over night.

Rattlesnake Creek at that time was the center of the buffalo range. We stood on a sand hill as the buffalo were gathering toward the stream for water in the evening, and it was estimated by old buffalo hunters in the party that there were a hundred thousand within our view. This was the herd that used the Republican River in the winter, and came southward to that region in the spring and summer. General Harney



detailed those of us who desired the sport, to kill for our camp. The writer and Henry M. Stanley were among those detailed to perform this service. We were commanded not to slay indiscriminately, but to select such of the herd we might be pursuing as would make tender, good beef. Wagons and butchers were sent along to take care of the big game; also a detachment of soldiers for our protection. It is needless to say that our camp fared sumptuously every day we were in that region, on the choicest buffalo beef and buffalo veal.

In the meantime, we encountered numerous prairie dog towns, so vast in extent that I wondered they did not call them cities instead of towns. Strange to say, that rattlesnakes are close companions of these little animals, as they occupy the same apartments, which consist of a little hole in the ground, with a mound of the waste dirt built up around it. We derived a great deal of pleasure in shooting these rattlesnakes, coiled on top of these mounds. Frequently we would run across a blacktail deer, and some one of the party would usually bring him down.

Leaving Rattlesnake Creek very early the next morning, travelling altogether by compass, as there were no defined roads, leaving the sand hills behind us, passing over a vast stretch of level prairie, sometime in the afternoon we came to a point where we began to descend into the valley of the Neskutunga. From this point we could see the fringe of cottonwood and underbrush along the river, eight miles away. We could see the teepees (tents) of the various tribes, assembled.

General Harney, being familiar with the Indian character, and always suspicious, sought to bring our entire forces into full view of the Indians. To accomplish this, he gave the order for the column to so proceed forward as to form an "S," composed of the escort of soldiery, the ambulances carrying the Commission and attaches, and the horsemen of the party, the artillery, and the immense wagon train. When all was in full view, a halt was ordered. By this time, thousands of mounted warriors could be seen concentrating and forming themselves into a wedge-shaped mass the edge of the wedge pointing toward us. In this sort of mass formation, with all their war paraphernalia, their horses striped with war paint, the riders bedecked with war bonnetts and their faces painted red, came charging in full speed toward our columns.

Here was performed a feat of horsemanship which, for dexterity, perfection of plan, skill and precision in execution, I dare say has never been equalled in all the history of military maneuvers, by any race of men. When within a mile of the head of our procession, the wedge, without hitch or break, quickly threw itself into the shape of a huge ring or wheel without hub or spokes, whose rim consisted of five distinct lines of these wild, untutored, yet inimitable, horsemen. This ring, winding around and around with the regularity and precision of fresh oiled machinery, approached nearer and nearer to us with every revolution. Reaching within a hundred yards of us at breakneck speed, the giant wheel or ring ceased to turn and suddenly came to a standstill.

It turned out that the inner line was composed of the head "medicine men," chiefs and sub-chiefs, of the various tribes, who alighted and proceeded to the vacant space in the center and formed themselves into a circle, reserving sufficient space in the center to accommodate the Commission and its secretaries. Through the quickly opening lines the commissioners and secretaries, led by Black Kettle, chief of the Cheyennes, who had been sent as a messenger and guide, marched down through the opening, with folded arms, and took the position assigned them, thus constituting the extreme inner circle and being completely surrounded by, and at the mercy of, a foe which had faced three years of war and had not as yet been suppressed by our army. These savages could doubtless now realize, more than ever before that they were in the immediate presence of veritable "pale faces." The whole maneuver was planned and executed with a view—as afterwards admitted—of its operating as a guarantee of safety from an attack by our military, and, also, as a *test* of the good faith of the "white man."

After a friendly though dignified "How!" was said—a greeting then in vogue among all the tribes, and evidently an abbreviation of the white man's salutation "How are you?" or "Howdy do?"—the "sacred calumet" (pipe of peace) was brought out by the chief "medicine man" of the occasion, and the ceremony of smoking the pipe of peace was duly performed. The ponderous pipe was filled with "kil-a-ka-nik" and passed first from mouth to mouth among the chiefs, each chief taking one puff. When it reached White Antelope, he refused to smoke,

turning the bowl of the pipe downward, which was a sign of unwillingness to make peace. He had a brother who, it was said, was killed in the battle of Ash-Hollow, fought by General Harney, and seeing and recognizing Harney on this occasion caused his sudden disaffection. His father, too, had been killed at the Chivington massacre, on Sand Creek. Following this unpleasant episode, the pipe was handed to the commissioners who likewise, passing it from mouth to mouth, each took a whiff. When they had finished and passed the pipe back to its custodian, the silent and solemn ceremony was over, and the tomahawk was buried—except in the case of White Antelope.

The commissioners returned to the head of our column, highly pleased with the outlook. The Indians rapidly withdrew in ordinary formation, and proceeded to their encampment.

Our march was resumed, and as it was a gradual slope to the river, the slight down grade enabled us to reach our objective before night. Selecting the highest ground overlooking the immediate surrounding region, we corraled our wagons and ambulances four deep around it, planted our artillery on the summit and pitched our tents inside of the corral.

Finding that the bulk of the Cheyennes, under the influence of the younger chieftains, failed to appear, but were camped some fifty miles away, toward the Staked Plains, sullenly refusing to make peace, the Commission decided that it was useless to call a council of the tribes assembled, in the absence of the warlike Cheyennes. Black Kettle, then their principal chief, and a conspicuous peace advocate, was only able to bring in a few small bands of followers, who had participated with him in the wonderful demonstration of the day. All the energy and tact of the Commission was now centered in an effort to pacify the belligerent absentees and induce them to come in and attend the council and join in the signing of a treaty of peace.

The burden of General Harney's soul was to reconcile and win over White Antelope, to which task he devoted his individual efforts. After many days of wooing, bestowal of choice gifts—such as saddles, blankets, beads, red ribbons and the like, he at last accomplished his purpose, but it was only by degrees. The first intimation of a change of heart was when he came to the General's headquarters and extended his little finger. He was handed another present. The next day he came and ex-







Alfred A. Taylor, in 1867  
Above—With a fellow deer hunter  
Below—Mounted on his favorite saddle horse



tended three fingers: he promptly received another present. On the third day he offered his whole hand, and it was warmly grasped. Then he put his arms around the General's neck and, with a hearty grunt, hugged him first on one side and then on the other. He departed that morning, counting himself a rich Indian; for the wealth of an untamed Indian consists of ponies, dogs, blankets, red ribbons, and all kinds of trinkets.

Through Black Kettle, a line of communication with the warlike Cheyennes was established, and conciliatory messages began to be forwarded and answers received. Black Kettle and his aides were kept busy day and night. The parley was kept up in this manner for more than two weeks.

Meantime, everybody was required to remain inside of our improvised fortifications. No one was allowed to go outside, especially at night; and during the day we were not permitted to get beyond our picket lines. We were, therefore, during all this time, virtually prisoners of war. We did have the opportunity, however, of cultivating the acquaintance of such Indians as we desired to know and of studying the Indian character generally.

But the newspaper man and young student of our party longed for an opportunity to explore that wild and uninhabited region where no white man had ever before put his foot. There was one point we desired particularly to visit, investigate and "write up," and that was the notable Kiowa medicine lodge, located on the north bank of the Nes-ka-tun-ga, only five miles below our encampment. We had already acquired a knowledge of what a medicine lodge stands for, from the more intelligent chiefs and interpreters, with whom we were in daily contact. It is a place where the tribe assembles once a year to go through with their religious ceremony called "renewing their medicine."<sup>2</sup> Among the Cheyennes each warrior had three sets of arrows, viz: war arrow, game arrow, and sporting or gambling arrow. When these arrows were completed and each quiver was filled, they were passed around and each warrior, chief and medicine man invoked a blessing upon each quiver, from the Great Spirit. Each quiver was held sacred for the purpose intended, and it was against the law to shoot an arrow from the war quiver except at the enemy, in war.

It required "five sleeps" (five days and nights) to complete such a ceremony, during which time they fast. It closed with a feast; after which and, as they departed, each one deposited some trinket of which he thought more of than any other, that the Great Spirit might constantly look upon it and be with and bless the owner wherever he might chance to be, either in war or on the chase.

Strange that these wild nomads of the plains should have had ideas about a Superior Being—about a "Great Spirit," and a "Happy Hunting Ground" in the hereafter! Where did they get them? They had them before Columbus came. They had them before the sunrise of the Christian era—before the dawn of civilization. Where did they get them?

One October evening, Black Kettle came in with the glad tidings that the belligerent Cheyennes had agreed to quit the war-path, come in and attend the council, and sign the treaty of peace. He brought with him Charlie Bent, a half-breed, who it was said had been the chief promotor of discord among them, as an earnest of good faith. This was Tuesday. The day fixed when they were to come in was Thursday. Everybody shouted. The diplomacy of the wise and adroit commissioners had won; peace was going to be secured, and our long, weary days of suspense and dread were ended!

That night we made up a party to visit the famous Medicine Lodge. So next morning, bright and early, with our Winchester's strapped to our backs and our Remington and Colt revolvers buckled around us, expecting to find big game, we started on our way to the Lodge.

This Lodge was simply a grove of cottonwood trees, bushes and various undergrowth, all planted in circular form, with open spaces in the center, more or less shaded. There were many circles of these trees and bushes—in fact the entire grove must have covered more than an acre of ground. There were all kinds of trinkets tied with rawhide strings to the bodies of the trees and limbs, and securely fastened and hanging all over the bushes.

We had with us, as a guide and to explain things a white man of middle age, named McCusker—a Kentuckian who, many years previously, had identified himself with the Comanches, having married a squaw, and was raising a family of half-breed

children. He was a very intelligent man, and was the official interpreter for the Comanche tribe.

Although we knew it was against the rule for an outsider to invade this Lodge, some of us could not resist the temptation to slip in and pilfer such of these trinkets as we could conceal about our persons, with a view to taking them home with us as souvenirs.

After spending an hour or more at the Lodge, the newspaper men procuring much valuable data for articles for their respective papers, we started leisurely back to camp. We had not proceeded far until we saw an Indian coming toward us as fast as his horse could carry him. He was apparently excited, for he would look back every few yards. As he approached, McCusker recognized him as Tosh-a-way, chief of one of the Comanche bands. As he swept by within twenty yards of us, McCusker called to him, in the Comanche tongue, to know what had happened. Recognizing McCusker he replied in these words of exclamation: "Mack! Mack! Cheyennes! Cheyennes! Hock-ka-nie! Hock-ka-nie!" I give these words exactly as they were spoken and just as, as I now remember, they sounded.

"McCusker, what did he say?" was on every lip.

"He says the Cheyennes have come and are fighting," replied McCusker. "I now see through their scheme," he continued in a trembling voice: "They fixed to-morrow as the day, but have come in to-day to catch us napping. They have fooled everybody, and certainly us, for here we are cut off and our camp doubtless surrounded!"

It is needless to say that there was now another aggregation of "pale faces"—of the genuine article.

"What will we do? What can we do?" This was the question addressed to McCusker.

"We must charge through the hostile lines and get into our corral; this is our only hope of safety," he answered. "All keep together and follow me," he commanded; and off we started in a double-quick.

The country here was slightly rolling; and when we reached the first high ground, looking across a little basin or valley on



the higher ground beyond, we saw a body of some two or three hundred warriors moving in our direction. We quickly turned and back-tracked a short distance; then turned again, increasing our speed, and made for the jungles of the Neskutunga River a few hundred yards away. Penetrating the thick cottonwood growth along the margin, plunging across the numerous prongs of the stream, lunging through thickets of scrubby bushes, and tearing through the entangled undergrowth which covered the little inlands, we finally landed on the south bank of the stream, only to find ourselves in the midst of throngs of fleeing Indians of the camps. These were made up mostly of squaws and the younger set, large numbers of squaws carrying papposes in buckskin wallets on their backs. Tens of thousands of wild geese had flown over our encampment a few days before; and if they had returned and lit in our midst, they could not have produced a greater confusion of similar sounds than the intermingled yelps and shrieks of these terrified Indians. On they came, like "chaff before the wind."

When we ran into the Comanches, they tried to take McCusker with them. They tried to pull him off his horse. But Mack was faithful; he tore loose from them, refusing to desert us; and onward we sped, spurring our horses to full speed; and were soon within a mile of our goal. Then we heard a volley of shots at camps. This brought us to a halt and a hurried council of war. Then there was another volley, and another, in quick succession. There was now some silent but earnest praying done. One of our men prayed audibly: he asked God to take us through safely. "O, God," he implored; "let not our bones bleach on this God-foresaken desert!"

We drew our revolvers and examined them to see that they were intact. With revolvers now in hand, we resumed our dreaded charge. Arriving opposite our camp, we found that everything was quiet. We crossed to the north bank of the river and through the openings in the timbers we could see the line of Cheyennes close to our quarters, but there was no fighting, no shooting, no sign of struggle. We passed out of the timber in full view and seeing that everything was orderly and peaceful we put up our revolvers, rode leisurely to the still mounted lines which were promptly opened for us, to pass inside and on to our quarters. When the ceremony of smoking

the pipe of peace, which was in progress when we arrived, was finished, the Cheyennes withdrew, went into camps and the excitement of the day was ended.

The Cheyennes had come in sure enough, but they came in a day in advance of the time fixed. They certainly "fooled us." The tribes on the ground thought they were going to fight. They gave every sign of fight when they appeared. These tribes actually believed that the Cheyennes could annihilate our forces, and when this was accomplished, they would then turn upon them and exterminate them because they had determined to make peace. Thus believing, they fled when the Cheyennes came in sight. Tosh-a-way led in the stampede and others, mostly squaws, followed. The bulk of the warriors of most of the tribes already on the ground shied off a respectful distance, but did not stampede. The two hundred warriors we saw, that caused us to take to the bushes and across to the south bank of the river were Kiowa warriors, who were on the trail of a band of Kaw Indians who, it was said, had slipped in and stolen some of their ponies the night before. The throngs we ran into when we crossed the river were the fleeing bands of all the tribes. The firing we heard were volleys fired by the Cheyennes themselves, as a salute, in honor of the occasion.

For two hours we experienced exactly what we would have experienced if the whole thing had been a reality. Our only source of regret, in the wind up, was that when we were crossing the islands of Neskutunga, notwithstanding our great tribulation, we did not forget to turn our pockets wrong side out, open our shirt bosoms, that we might get rid of our highly prized souvenirs which we had acquired during our never-to-be-forgotten sojourn at the Kiowa "medicine lodge."

Scouts were sent out to "round up" and bring back the victims of the false alarm, which task was quickly accomplished, except in the case of old Tosh-a-way, who was slow to return. Only thoughts of what he was missing induced him to return at all. It will be seen that the Commission knew exactly how to handle wild Indians, such as these, to get them in a good humor and how to keep them in such a state of feeling. They had coffee on hand all the while, where they could come and eat, and drink at will. A row of iron kettles, at least a hundred yards in length, each kettle holding fifteen to twenty gallons,



was provided. Fires made with "buffalo chips" were started under these kettles every morning, the kettles filled, and the cooks would proceed to make the coffee. This process would be repeated as often as required. They feasted the Indians on food to their liking; it was issued to them every day. To keep up the supply, wagon trains were kept busy from Fort Larned to our camp and from the railroad to Fort Larned.

The chiefs of all the tribes being now thoroughly reconciled and looking upon the members of this Commission as friends and benefactors, in recognition of the kind treatment they had received, they combined to provide a "dog feast" for the civil and military officials of our expedition. Now, for a feast, dog was to the wild Indian what turkey was to the white man. As the white man had to have turkey for Thanksgiving and Christmas, so the Indian had to have dog for his festive occasions. This feast, tendered in honor of the Commission and officers of its military escort, seemed to be looked upon by these Indians as the biggest event in their history.

At the hour appointed, the invited guests proceeded from their quarters to the place designated, which was on the grass among the cottonwoods on the bank of the now calm and peaceful Neskutunga. There were some ludicrous happenings here, but we were compelled to reserve our laughter until another time,—which was something akin to impossibility. Among many other articles distributed among the Indians, as presents, was a suit of blue army clothes. It was the policy of the government to teach them to wear clothes. It seemed that every one, on this occasion, was expected to appear in his best attire: so some of these Indians had put on their new pants, but before doing so they had taken their butcher knives and deliberately cut out the seats. Their appearance presented a spectacle, the like of which we never had looked upon before! Somehow or other, a silk hat belonging to the president of the Commission, which he had taken with him to Omaha, was dumped in among the luggage, as we started on our trip, and carried all the way to Medicine Lodge—where it was a useless burden. Ton-ne-en-ko (Kicking Bird), second chief of the Kiowa nation, got a glimpse one day of this hat, and took a great liking to it. He was a daily visitor to the tent, and seeing that he manifested such a lively interest in this hat—in other







Medicine Lodge Peace Council



words, that he craved to possess it—the owner gladly made him a present of it, box and all. He was already the proud possessor of whole bolts of red ribbon which had been given him, from time to time. Just as we had about survived the incident of the vacant seats, who should appear but Ton-ne-en-ko, in full evening dress! It was his idea of full evening dress. The only apparel under the heavens, adorning his person, was his breech-clout and that stove-pipe hat! To cap the climax, a half bolt of red ribbon was folded around the hat and four streamers of it—each three yards long—trailed behind him as he strutted down the line!

Scores of boxes of crackers were issued to all the tribes. Stacks of pewter plates and tin cups had been distributed among them and each tribe possessed a supply. These crackers, plates and cups came in handy at the feast. The plates, filled with cold fat dog, were placed in rows on the ground. The guests were seated on each side of these rows, likewise, on the ground. Each guest was supplied with a plate and helped to a slice, or a rib of dog; also a cup filled with black coffee and, in addition, a plate of crackers. This was the menu, and so the greatest feast of the period was begun. It continued until the supply of dog was exhausted, every one having more than enough.

Everybody pretended to enjoy it: some, I think, really did. It so happened that the writer sat near one of the most prominent members of the Peace Commission. I believe the General actually relished it. He ate what was on his plate and helped himself to more. No one could eat it as heartily as he did, unless he really enjoyed it. The truth is, you could not distinguish cold, fat dog, prepared as at this feast, from a dish of cold mutton prepared at home.

The writer succeeded in masticating and swallowing his first mouthful, but when he thought of old "Boss," a dog at home, tolerated for his faithfulness and old age, whose body was so afflicted with festering sores that when he would lay down a while and get up, the scabs would pull off and stick to the floor, the second morsel began to swell and, at length, swelled so large, that his swallow refused to function. By a dexterous movement of the hand he managed to land it in his palm, and from thence into the grass. But the funniest incident of all occurred when one of the young chiefs sought to pay a

special compliment to the Commissioner of Indian Affairs, who was regarded by the Indians with much reverence. They refer to him as "Big Chief," "Great Father" and the like. The young chief approached him on this occasion, softly patted him on the cheek, rubbed him slowly and gently on the shoulder, saying at the same time in a low mellow tone of voice, "Chi-he-ka, Wash-ta, Mooch-a-wa-no"—"Heap big d—n son of a b—h!"

A half-breed among them, who could talk English, was thrown from the pony one day. After administering a few vigorous punches with his big toe, he finally sought to "make up" with the terrorized pony and proceed on his way. But every time he would get close enough to mount, the pony would shy off: he would then pet him—ease up to him and gently rub him on the nose, then on his neck, saying at the same time, "Whoa! You d—n son of a b—h." The young chief watching the performance and hearing the words, thought the half-breed was "making much" of the pony and conceived the idea that what he was saying was an expression meant for compliment. With this explanation by an interpreter standing by, the Commissioner became composed. This is a lesson showing the force of example. We should be careful what we do and say in the presence of children, for wild Indians not on the war-path were, in many respects, like children.

When the feast was over it was made known to the chiefs and all present that the Commission had met in the afternoon and decided to fix the following day for the assembling of the Peace Council. Due notice had already been given to all concerned. A large tent, similar in shape to a modern Chautauqua tent, but not so large, had been provided in which to hold the Council. Improvised tables made of goods boxes for the secretaries were placed, and camp chairs for seating the members of the Council were arranged in circles. So, promptly at the hour appointed, the great Peace Council of Medicine Lodge met and was called to order by the President of the Commission—Hon. N. G. Taylor, who stated its object in a few brief sentences which were repeated to the chiefs in their respective tongues by the interpreters, as they were pronounced.

It was a memorable day. Foes of yesterday were friends today. Chaos had given way to orderly procedure. Peace had



supplanted war. The time had come when the red man and the "pale face" could meet and exchange arguments instead of blows, and supplement argument with mutual concession. It was a remarkable gathering. I doubt if a body of abler men, of both races, ever met before or since. The intrepid General Terry, of Fort Fisher fame, was there; General Harney, the "rough and ready" Indian fighter was there; the two star general, Augur, the quiet, superb planner and organizer, was there; the practical General Sanborn, with a big head filled with common sense, was there; Nathaniel G. Taylor, the scholar, orator, Commissioner of Indian Affairs and former congressman, was there; the renowned United States Senator John B. Henderson, of Missouri, and the adroit Colonel Sam Tappan, were there; Senator E. G. Ross, Governor S. J. Crawford and Lieutenant-Governor Root, were all there as representatives of the State of Kansas. The Cheyennes, Araphoes, Comanches, Apaches, and Kiowas, and their numerous guests—many of them distinguished guests from other tribes, were gathered there. Satanta, Satank, Black Eagle, Ton-a-en-ko, Fish-e-more, Woman's Heart, Stumbling Bear, One Bear, Corbeau, Sat-a-more, Wolf's Sleeve, Poor Bear, Bad Back, Brave Man, Iron Shirt, White Horn, Ten Bears, Painted Lips, Tosh-a-way, Standing Feather, Gap-in-the-woods, Horse's Back, Wolf's Name, Little Horn, Iron Mountain, Dog Fat, Bull Bear, Black Kettle, Little Bear, Spotted Elk, Buffalo Chief, Slim Face, Gray Beard, Little Rock, Curly Hair, Tall Bull, White Horse, Little Robe, Whirlwind, Heap-of-Birds, Yellow Bear, Storm, White Rabbit, Spotted Wolf, Little-Big-Mouth, Young Colt, Tall Bear, Red Cloud, Charlie Bent, Turkey Leg, Man-that-feeds-his-horses, Man-that-walks-under-the-ground, Black Bear, White Antelope, Roman Nose, Standing Elk, George Bent, and many others, were present.

Towering above all in native intellect and oratory—exact image of Andrew Johnson—barring his color, Little Raven, chief of the Araphoes, was there. His speech before the Commission on the question of damages, back annuities, and the cause of the war, would have done credit to any enlightened statesman. His reference to the Chivington massacre and the ill treatment the Indians had received at the hands of white men of the frontier, who, he alleged, had been continuously infringing upon their reservation rights in the past, were scathing, and his plea

for protection and better treatment in the future, was the most touching piece of impassioned oratory to which the writer has ever listened, before or since.

The chiefs of all the tribes presented their complaints and claims from day to day, as each tribe was reached, and they were considered, discussed and disposed of as they came up. When agreements were reached, in each case, they would be put in proper form and written into the treaty. Everybody knew that Chivington's unjustifiable slaughter at Sand Creek caused the war, but it was necessary for the Commission to take testimony showing it, which they did, to justify them in agreeing to pay the annual allowances which had accumulated during the war. These settlements in the case of each tribe were made with a view of satisfying all of them as nearly as possible; but to satisfy the wants of all, as in the case of children, is an impossibility.

The question which gave more trouble than any other was the question of new reservations; each tribe wanting the line changed so as to take in this strip or that strip, or that stream, or this corner or that corner, and so on. The surveyors, draughtsmen and maps were at hand and, finally, after days of parley, persuasive argument, heart to heart talks, and equalization of values, agreements were reached and the lines definitely fixed and the agreement embodied in the treaties.

On the final day of the council the treaties, as framed, were read over and over and explained to the chiefs by the interpreters, until they were thoroughly understood by every one, and then, by all parties concerned, duly signed, sealed and delivered.

The expedition returned to the railroad at Ellis, by the same route it came, and after the commissioners and secretaries had bidden an affectionate farewell to the officers and soldiers of the escort, boarded a special train for Washington, by the way of St. Louis.

The following spring—April, 1868—the Commission proceeded via Omaha and North Platte to Fort Laramie then Dakota, (now Wyoming), to meet its engagement with the Crows, Utes, Northern Cheyennes, and the Brule and Ogallalla Sioux. The Utes had made a request which was granted, that their head men be allowed to hold their council at Washington,

as they were very desirous of an opportunity for a trip east, and especially to see the white man's "Big Village." So the treaty with the Utes was negotiated at Washington, D. C., in February and March, 1868.

To get to Fort Laramie from Omaha, we went over the Union Pacific Railroad, then being constructed, via North Platte to Julesburg, then the terminus, where we detrained and found a military escort and conveyances in waiting. We then proceeded by way of "Gocean's Hole" to our destination.

We camped over night at "Gocean's Hole" and the sportsmen of our party reaped a rich harvest in the way of large and small game, consisting of elk, deer and prairie chickens. An elk was killed here whose horns measured seven feet from tip to tip; many deer were secured, and scores of prairie chickens were bagged.

Finally reaching Fort Laramie, after experiencing one of those dreadful sand storms peculiar to that region, we found all the tribes had assembled, according to appointment. These Indians, like the Sioux, generally peaceable, though at times troublesome, were clamorous for a readjustment of their affairs and a general new deal. The council was called and went into session and the complaints and demands of these tribes were heard and met, so far as it was possible to meet them. It is not the purpose of the writer to go into the details of what was done at these sessions of the council, nor to give even an outline of the proceedings. The records are filed in the archives of the Interior Department, and are accessible to any one who might care to see them. Suffice it to say that, after many days and weeks of parley, satisfactory settlements were reached, and treaties, embodying them, were prepared and signed by all concerned.

The last days of our sojourn at the fort were devoted, by many of us, to a search for moss-agates along the partially naked beds of the Laramie river. Many rare specimens of these precious stones were found. By this time the railroad had been completed to Cheyenne, Julesburg, itself, and all the little portable towns along the line had moved up to the new terminus, which became a city of eight or ten thousand inhabitants within a few days.



The business with the Indians of this region being now finished, the Commission and its escort proceeded from Fort Laramie to Cheyenne where, after spending the night, they boarded the train for Omaha and Washington. This was the first passenger train to leave Cheyenne going east, after the completion of the road to that point. A few miles from the outskirts of the city vast herds of antelope could be seen from the train. The more reckless of our party could not resist the temptation to shoot into these herds from the car windows. Many of these little animals were thus ruthlessly slaughtered all along the road from Cheyenne to O'Fallon's Bluffs.

The last council held by the Commission was with the Navaho Indians, and other tribes, at Fort Sumner, New Mexico, in May and June, and, completing the treaties in June, the Commission returned immediately to Washington.

Thus was completed the strenuous task of this great Commission. Its work at these councils and the treaties negotiated, brought to a close a prolonged and troublesome war, marked the beginning of the end of primitive chaos on the Southern Plains, laid the foundation for the ultimate settlement of the Indian question, so far as the wild tribes were concerned, cleared the way for the settlement of vast boundaries of fertile lands, thus augmenting the populations of Territories, which ultimately enabled them to comply with the requirements and enter the Federal Union as states.

I do not know of a living person, now, of our expedition, who was at Medicine Lodge. A sprightly, pretty girl of French-Arapahoe descent, I saw there, who acted as one of the interpreters for the Araphoes, although so young—not over fifteen—I understand is still living. She was a daughter of Mrs. Virginia Adams, by her first husband, Major Thomas Fitzpatrick, who was the first government agent of the Arapahoe, Cheyenne, Comanche and Kiowa tribes. I have not seen any one in recent years, who was there, or at any of the other councils held in other regions.

Among the newspaper men, I saw Stanley twice afterwards. After his return from Medicine Lodge, he became connected with the New York Herald, and left Washington as a representative of the Tribune. The first time I saw him was when he had returned from Africa, and was a guest of the



Lotus Club of New York. I called on him then, and was favored with a detailed account, from his own lips, of many of the hardships and hairbreadth escapes he experienced in his hazardous undertaking to find Livingston. He was thinking then of organizing a party to go in search of Emin Pasha, and honored me with an invitation to join. I thanked him, of course, but told him I would be frank with him, and say that I had not lost any Pasha in the jungles of Africa, or anywhere else. The last time I saw him was when he came to Washington to lecture, when I was a member of Congress, on which occasion we breakfasted together on his special car, between Washington and Baltimore, as he was leaving the city.

But he is gone! They are all gone! I am the only one left to "tell the tale"—the only one alive to reproduce the story of the stirring events of that day. Hail and hearty still—more so than then—with appetite unimpaired, and everything good to eat the year round, unmindful of cost because it is produced at home, I feel as though I am yet good for, at least, a quarter of a century of useful life in the flesh. I have stayed on the farm. This is the secret of my happy plight. I go to town whenever I please, but I am not a fixture there, Am not distracted by strikes and movies and every kind of racket. An easy job at town with a big salary, which must be paid out, these days, for eats, drinks, rents and every kind of humbug, hath no charms for me. I have "stuck" to the farm—where there is comparative peace of mind, and "where milk and honey flow." The only thing that mars is the distress of fellow-men. "Back to the farm" is the only permanent solution of the high cost of living—the only solution of the question of how best to prolong life. If town and city victims of conscienceless profiteers and grafters will only take the hint and act wisely, they will be happier, fare better, and live longer!

*A. A. Taylor.*

#### EDITORIAL NOTES

<sup>1</sup>The imperfect knowledge of the geography of the Plains region at that period resulted in confusion concerning the identity of certain streams. The Medicine Lodge Peace Council was actually held in the valley of the Medicine Lodge River, instead of in that of the Nescatunga as stated by Governor Taylor. The Medicine Lodge is a tributary of the Nescatunga, which is better known in Oklahoma as the Salt Fork of the Arkansas. The name Nescatunga is derived from the Osage Ne-skua-tonga, which, literally translated, is "River Salt Big," or Big Salt River if

rendered into proper English. The French trappers and traders of the eighteenth century Gallicized the Osage name without impairing its signification by calling it the Grand Saline and, as the Nescatunga, or Grand Saline, it was designated on maps of the Indian Territory down to about 1870. The more commonly accepted Salt Fork is believed to have had its origin in the usage of the freighters and cattle drovers who had occasion to ford it on the Chisholm Trail.

<sup>2</sup>The people of each tribe arranged their own annual sun dances, which were seldom, if ever, held twice in the same place and never in succession. The particular medicine lodge, mystery house or sacred tabernacle from which the Medicine Lodge River received its name was in reality an arbor-like shelter of tree trunks and leafy branches which was erected by the Kiowa people for the celebration of their annual sun dance in the summer of 1866, which was over a year before it was visited by Governor Taylor's party. It was located in the valley of the Medicine Lodge River, several miles below the present town of Medicine Lodge, which is at the mouth of Elm Creek. The site of the Peace Council camp was about three miles above that of the town and on the same side of the river. In their own language, the Kiowa people called this stream A-ya-dalda P'a, meaning "Timber-hill River." "The Calendar History of the Kiowa," by James Mooney, Seventeenth Annual Report of the Bureau of American Ethnology, pp. 183-6 and 318-22, gives considerable detailed information concerning the Medicine Lodge Peace Council.







Two Log Buildings at Fort Gibson, Dating from 1824  
 Above—Post Hospital  
 Below—Post Chapel



## THE CENTENNIAL OF FORT GIBSON

The month of April 1924, marked the 100th anniversary of the establishment of Fort Gibson, then the farthest and most important outpost of the United States upon the uncharted Louisiana Purchase. The story of Fort Gibson is an epic of the prairies; a tale of the winning of the great southwest; of the conquest of the fleet warriors of the plains; of the security of trade and contact with old Santa Fe and California. Fort Gibson saw the beginning and end of the covered wagon romance; the passing of the keel-boat and the whole career of the river steamboat.

But a few days ago, a sale by the Government of oil leases on lands of the Osage Tribe of Indians in Oklahoma added over seven million dollars to the great wealth of a little band of 2,000 people already the richest in the world. The relevancy of one event to the other is far from obvious, but in retrospect they have much in common.

In the early history of the United States the Osage Tribe was one of the most powerful and war-like of all the Indians; located between the Missouri and Arkansas rivers, long before the Louisiana Purchase, under both Spanish and French ownership, the Osage held undisputed dominion over a great extent of the southwest, carrying cruel warfare among the Caddoan Indians of Texas and Louisiana and the Kiowa, Comanche, Wichita and other prairie tribes as far west as the Rocky Mountains. The Spanish Government itself in Texas and Louisiana was driven to the expedient of enlisting the Western Apache Indians as allies against the dread Osage of the Arkansas.

After the Louisiana purchase, President Jefferson inaugurated the policy of inducing the Indians living east of the Mississippi river to remove to the great empire west of that stream, a business in which the government was engaged for the next fifty years; and the most of those former owners of the soil were finally located upon what became known as Indian Territory and more recently as Oklahoma. Among the early arrivals in the west were the Cherokee Indians who were located upon

the Arkansas river on lands recently ceded to the Government in 1808 by the Osage tribe.

These new neighbors of the Osage were a kind of people different from those formerly known by the wild Indians. The Cherokee were agriculturists; they built permanent homes; cultivated fields; but most important they raised horses, cattle and hogs—property coveted by the Osage. The Osage Indians lived by the chase; they clothed and fed their families with the skin and flesh of the buffalo; they made slight effort at agriculture and mounted themselves on horses stolen from other tribes; skillful horsemen they rode hundreds of miles on horse-stealing expeditions, an avocation engaged in by nearly all the western Indians. The proximity of the Cherokee offered inducements too tempting to be overlooked. The stealing of their livestock was followed by reprisals; war parties from each tribe lay in ambush for hunters from the other.

The Osage would not work and scorned the providence of the white man. As the presence of the eastern Indians drove the game further to the west and the hazards of buffalo hunting were increased by the hostility of Pawnee and other powerful enemy tribes, the Osage were at times reduced to the direst poverty when they were driven to subsist themselves on roots and acorns and in such extremity many suffered starvation. Holding that the Cherokee had driven away the game, which was their staff of life, it is small wonder that the Osage ravaged the herds of the civilized Indians with a feeling of honest reprisal.

The Osage became a scourge to all the tribes in the southwest and a serious menace to the plans of the Government to remove the civilized and other eastern Indians to the west of the Mississippi. In 1817 a coalition of Cherokee, Choctaw and other Indians from north of Red River and Caddoan tribes from south of that stream attacked the Osage Indians at a place a few miles north of where Muskogee now is and inflicted great slaughter upon them. The Government then determined it was time to intervene by military force, and end the reign of warfare caused by the Osage. A force was sent to a point on the Arkansas River at the eastern boundary of the Osage country that was afterward called Fort Smith. Here they remained until April 1824, when, because of the continu-

ed hostility and disorder of the Osage Indians living in the vicinity of the Three Forks, the confluence of the Arkansas Verdigris and Grand rivers, Colonel Arbuckle was directed to remove his command to the latter place, ninety miles above Fort Smith and establish a post.

In 1819 a mission was established near by on Grand river among the Osage Indians by a missionary family recruited in New York and Connecticut, and called Union Mission. Several trading houses were doing business at the mouth of the Verdigris and upon the arrival of Colonel Arbuckle and his command in April 1824, it was the center of such enterprise as existed in this western wilderness and the only settlement of any importance for hundreds of miles.

When Colonel Matthew Arbuckle arrived at the mouth of the Verdigris with his force of five companies of the Seventh Infantry he decided to locate on Grand river about three miles from its mouth and from the mouth of the Verdigris. For some reason he did not select the eligible site on the hill a mile distant where the fort was later constructed, but located on the low ground on Grand River in the midst of a dense cane-brake which covered all the fine bottom land south and east of that stream. The men in his command were at once set to work cutting logs and splitting out clap-boards with which they built themselves log huts. The construction of these log houses was carried on for a year or more until there were sufficient buildings to house the regiment. The troops that first arrived were in a year or two augmented by the arrival of other companies that came by boat up Arkansas River until the greater part of the Seventh Infantry was stationed at Fort Gibson. The post was named Gibson after the Commissary General of that name. The fort itself was surrounded by a stockade 300 feet on a side with a block-house at the northwest corner and one at the southeast. Outside the stockade were log houses for quarters, hospital, and stables, a saw mill and on the river bank, sutlers stores. From the fort a road lead northwest to the falls of the Verdigris, where were located the Osage and Creek agencies and a number of traders stores.

On account of the location on the low damp ground in the cane-brake, the sickness and mortality at Fort Gibson occasioned great complaint on the part of men and officers. The



number of deaths was so great that Cantonment Gibson was called the charnel house of the army. During the years 1834 and 1835, there were 292 deaths at this post, due mainly to the prevailing fevers. The log buildings required constant repair and reconstruction.

Fort Gibson was the farthest outpost of our southwestern frontier. Fort Towson was established a few weeks later and Fort Leavenworth was not established until 1827; Fort Coffee in 1834; Fort Washita in 1842 and Fort Arbuckle in 1851. It was from Fort Gibson that contact was first had with wild prairie tribes that knew almost nothing of white people except the Mexicans south of them.

In 1832 a commission was sent to Fort Gibson to negotiate treaties with some of the western tribes and arrange for the location on the lands of Indian Territory of tribes coming from the east. The commission was composed of Governor Montford Stokes, of North Carolina, Chairman; Henry L. Ellsworth, of Connecticut, and Reverend John F. Schermerhorn, of Utica, New York.

Mr. Ellsworth was the first to arrive, reaching the post in October 1832. With him came as guests, whom he had met on his journey, and whom he had invited to join him, Washington Irving, Count Portales and Charles J. Latrobe. Directly after their arrival they made an expedition of a month with a company of rangers under command of Captain Jesse Bean, his being the first company of that organization to rendezvous at Fort Gibson. The events of this expedition were recorded by Irving in his "Tour of the Prairie", and by Mr. Latrobe in his book called "The Rambler in North America."

Sam Houston came to the vicinity of Fort Gibson in 1829 after resigning his office as Governor of Tennessee and leaving his wife. Marrying a beautiful Cherokee woman, he was adopted as a member of the tribe and lived near the post where he conducted a little store for several years until he went to Texas.

In 1832 Congress provided for a regiment of mounted troops to be known as rangers, for service in the Black Hawk War, but as they were not in time for that service the few companies that had been recruited were sent that fall, to the frontier, part of them to Fort Gibson. The next year Congress



authorized the organization of the First Dragoons, with which the rangers were merged; the companies that were recruited in 1833 rendezvoused at Jefferson Barracks, near St. Louis and, in the summer of 1834, marched to Fort Gibson under command of Colonel Henry Dodge, who was formerly territorial governor and afterward United States senator from Wisconsin. These troops were mounted and it was believed they would thus be able to cope with the wild prairie Indians, and protect the traders and trappers in the country to the west of Fort Gibson as far as Santa Fe.

In the summer of 1833 a military expedition composed of infantry and rangers was sent out from Fort Gibson to get in touch with some of the western tribes, but nothing was accomplished, though one of the rangers was captured by the Indians near Red River and killed. The next summer a more formidable expedition set out from the post under Colonel Henry Leavenworth who had recently arrived at Fort Gibson and assumed command. The terrific heat and hardships of this expedition caused the death of a large number of the men, including Colonel Leavenworth who died at a hospital camp near the mouth of Washita River, in July, 1834. The expedition continued its march under Colonel Dodge and succeeded in bringing back to Fort Gibson a number of chiefs of the Kiowa and Wichita tribes. When they arrived at Fort Gibson they had their first view of a civilized community. With this overture it was possible the next year (at Fort Holmes near where Holdenville, Oklahoma, now is), to negotiate a treaty with the Comanche, Wichita and their associated tribes and bands. This was the first treaty and the first recognition of American sovereignty by the wild Indians of the Southwest. Subsequently, a number of other important treaties were consummated at Fort Gibson with Indians who had not before come in contact with white men. The first treaty of 1835 laid the foundation for all subsequent efforts for subduing the western Indians and protecting the traders going to Santa Fe., and the Five Civilized Tribes that located in Indian Territory. Some of the most important conferences held west of the Mississippi took place at Fort Gibson. These had direct bearing on the civilization of the entire southwest.

In one of the companies of the dragoon regiment that came to Fort Gibson in 1834 was young Jefferson Davis who

had been graduated at West Point in 1828 and had seen service at Fort Crawford, on the Mississippi River, under Colonel Zachary Taylor. It was while stationed there that he fell in love with Taylor's daughter. He resigned from the army in the summer of 1835, left Fort Gibson and went to Kentucky and married Miss Taylor at the home of her aunt, her father refusing his consent to the marriage.

Beside Colonel Arbuckle, some of the other officers who commanded at Fort Gibson were Lieut. Col. James W. Many, Col. Stephen W. Kearney, Lieut. Col. Richard B. Mason, Lieut. Col. Pitcairn Morrison, Col. Alex Cummings, Col. Gustavus Loomis and General W. G. Belknap. Other famous officers who served at Fort Gibson were Generals David Hunter, Philip St. George Cooke, John K. Burgwin, Thomas Swords, Andrew Jackson Smith, Edwin V. Sumner, Braxton Bragg and Daniel H. Rucker. These and many others were well known for their subsequent service in the Mexican and Civil Wars. Many West Point graduates saw their first service at Fort Gibson, some classes sending as many as ten or a dozen young officers to that remote garrison.

Fort Gibson became the centre of such social life as the wilderness afforded; trappers assembling at the trading post near by to barter their packs of beaver and buffalo skins, and passing traders to Santa Fe and Mexico, stopped to visit at the garrison and requited the hospitality they found there with tales of adventure and strange people. Busy little river steamboats brought visitors and news from the outside world. Social amenities were observed within their rude limitations, dinner parties in the log quarters of the officers sat around bountiful tables of wild provender—turkey, buffalo, bear, wild fowl and wild honey became commonplace.

Gaiety and pleasure were not impossible and the tedium of garrison life far from civilization was relieved by dances and gatherings graced by feminine loveliness from near and far. Beside the daughters and wives resident at the garrison, charming and accomplished maidens of the Cherokee tribe, some of them educated in eastern schools, formed part of the social life at Fort Gibson. Propinquity and charm,—romance nurtured by the sylvan surroundings on the banks of beautiful Grand River, led to many happy marriages between officers and enlisted men and Cherokee girls.







Two Stone Buildings at Fort Gibson, dating from 1839  
 Above—Barracks  
 Below—Commissary



Even from far away Fort Smith and other Arkansas towns, daughters of the early settlers regarded an invitation to a dance or a visit at Fort Gibson as an outstanding event. One related to an appreciative granddaughter how, as a girl before the Civil War, she rode horseback the ninety miles from Fort Smith carrying in her saddle bags the evening frock she had worked on so hard with visions of the alluring picture she was to make before handsome young officers at Fort Gibson.

Captain Nathan Boone, a son of Daniel Boone, came to Fort Gibson with the dragoons in the summer of 1834 and served at the post for many years. He had been a surveyor in Missouri and surveyed a number of the lines in the vicinity of Fort Gibson including the boundary line between the Creek and Cherokee nations. Captain B. L. E. Bonneville served there many years and in 1825 secured a leave of absence that he might accept the position of secretary to General Lafayette, the friend of his father, and accompany him to France. Again, in 1830, he left Fort Gibson on leave and engaged in an extensive trading and exploring expedition in the Rocky Mountains, and he sold his notes to Washington Irving who made a book of them entitled "The Adventures of Captain Bonneville."

In the latter part of November, 1855, Colonel Albert Sidney Johnston arrived at Fort Gibson in command of the newly organized Second Cavalry numbering 750 men and 800 horses. Lieutenant Colonel Robert E. Lee was second in command of this regiment, George H. Thomas was a major, Edmund Kirby Smith was a captain, and John B. Hood a Lieutenant. They stopped at Fort Gibson on their way from Jefferson Barracks to Texas where the regiment was engaged in fighting Indians until the Civil War.

June 23, 1857, owing to the unhealthful condition of Fort Gibson it was abandoned as a military post, the troops were withdrawn and on September 19th, of that year the reservation and buildings were formally turned over to the representatives of the Cherokee Nation. On November 5, 1857 pursuant to the recommendation of Chief John Ross, the Cherokee council passed an act creating the town of Kee-too-whah on the site of the reservation, and providing for the survey of the lots and their sale to citizens of the Cherokee tribe.

However, on April 5, 1863, the post was reoccupied by troops of the Union Army, including three Indian regiments, four companies of Kansas Cavalry, and Hopkins' Battery, all volunteers, an aggregate of 3150 men, with four field pieces and two mountain howitzers; they threw up entrenchments and constructed a considerable earthwork at a point just above and within sight of old Fort Gibson which was occupied until the close of the war under the name of Fort Blunt, in compliment of Major General James G. Blunt, then commanding the district of the frontier.

The work was constructed from April 14 to April 30, and consisted of a main work, embracing 15 to 17 acres, with angles and facings, situated on a commanding hill with rear bluffs on Grand river. From this extended a line of earth works about one and one quarter miles in length, the whole defense being regarded as strong enough to resist a force of 20,000 men. From this time the strength of the post was increased, until on the 31st of July, 1863, it aggregated 5240, and on the 31st of August, 6014, with eighteen field pieces. As finally completed the post included a number of handsome stone buildings erected for officers quarters, a hospital, guard house, magazine, store houses, barracks, married soldiers quarters, adjutant's office, chapel, blacksmiths and carpenter shops, corral, hay yard, etc. Being the most important fortified point in Indian Territory, it served as the headquarters of military operations in that vicinity during the remainder of the civil conflict. A number of engagements took place in the vicinity, notably the battle of Honey Springs, about twenty-five miles south of Fort Gibson, and the battle of Fort Wayne, northeast of Tahlequah. Pike, Steele, Stand Watie, Cooper and Cabell were among the leading Confederate officers and Blunt, Phillips and others were the most noted commanders involved on the Union side, but the latter held Fort Gibson until the end of the Civil War. On the 20th of May, 1863, the Confederate General Coffee, at the head of a force of five regiments, made an attack on the fort but was driven back to the south side of the Arkansas. The second meditated attempt, under Generals Steele and Cooper, led to the battle of Honey Springs, probably the most sanguinary conflict fought in Indian Territory.

On the 17th of February, 1866, the detachment of regular troops from the First Battalion of the Tenth United States

Infantry, under command of Brevet Maj. James M. Mulligan, in obedience to orders from Brevet Maj. Hunt, commanding the district, arrived at Fort Gibson, and relieved the 62nd Illinois Volunteers, which then constituted the garrison. The post remained garrisoned under the name of Fort Gibson, up to September 30th, 1871, when pursuant to general orders it was abandoned as a military post but was temporarily retained by the quartermasters department as a depot for such transportation and other means as were necessary to enable paymasters and other officers to communicate with Fort Sill. It was reoccupied in July, 1872, by two companies of the Tenth Cavalry under Colonel Benjamin H. Grierson, and was regularly garrisoned thereafter until its final abandonment in 1890.

The organizations most closely identified with Fort Gibson, were first, several companies of the Seventh Infantry, that established the post and remained there until February, 1839, when they left for service in Florida against the Seminole Indians; these were succeeded by the Fourth Infantry, which saw much service in Indian Territory before it was sent to the Mexican War. One of the best known organizations of course was the First Dragoons, which came to Fort Gibson in 1833 and part of which served there for many years. A stage route extending from Baxter Springs, Kansas to El Paso, Texas passed Fort Gibson and many travellers from the states east of the Mississippi to California passed that way. From Fort Gibson to Red River, the route followed much the same course as that afterward adopted by the Missouri, Kansas & Texas Railroad.

On this centennial anniversary of the birth of Fort Gibson, the pretty village of that name, in sight of Muskogee and dominating the bluffs overlooking Grand River, contains a few building and ruins of others that were part of the historic garrison built after 1863; but there is little to recall the stirring days when the old post played such an important part in winning to civilization Oklahoma and the great Southwest.

The Osage tribe of Indians, whose vigor and fierce restless war-like spirit caused the establishment of Fort Gibson, reduced, by poverty, sloth and their white environment, to less than one-fourth their numbers a hundred years ago, moved hither and yon by the Government, at last were placed on a little tract of land now co-extensive with Osage County, Okla-



homa, and formerly part of the great domain over which their ancestors held insolent and undisputed sway. In their last trek they were beckoned by the hand of Midas who guided them to a part of their ancestral home where the tribe formerly hungered, hunted and fought for food, and located them on one of the world's richest oil deposits, from which liquid gold is produced by the white man; and these aborigines, part of the handful of indigenous Indians remaining in Oklahoma, figuratively and literally roll in wealth.

Such are the mutations of fate that these Osage who yesterday with their women and children, ponies and countless dogs trekked hundreds of miles across these prairies in quest of buffalo meat, now loll flaccid in the lap of opulence. Fort Gibson which was by turn their Nemesis and their refuge, which disciplined the unruly or fed the starving women and children of the tribe when, in times of stress, acorns and roots could no longer beguile their empty stomachs,—Fort Gibson knows them no more. Fort Gibson, the sturdy pioneer that blazed the trails through the forests and across the plains of the uncharted southwest, that tamed the fierce red warriors who had acknowledged no master, that made of this country a fit habitation for the tide of white population that has flowed over it, she and the men stationed there did their heroic part and passed away from the sight of their beneficiaries; and we but make an honest acknowledgment of our obligations to the instrument that wrought these changes by pausing to note a few of these things on this 100th birthday of Fort Gibson.

*Grant Foreman.*





Abel Warren and Mrs. Mary A. Warren



## WARREN'S TRADING POST

The first settler in the limits of the Kiowa-Comanche reservation as well as in the western half of the state of Oklahoma was Abel Warren. If any other person erected a building before Warren constructed his trading post at the mouth of Cache Creek, the historian has not advised us. This building was a combination affair, for residence, storeroom and fort. This Indian trading post was constructed in 1839 or 1840 as evidence will show later.

### ABEL WARREN

This strong and sterling character was born in Northboro, Mass., near Boston, September 19, 1814. There he grew to young manhood with a fair education. The numerous and rich stories of the vast frontier of the western regions of the United States fired this comparative youth to definite action, beyond the conventional customs of a New England state.

Bidding goodbye to his first love, a girl of eighteen years, and pledging faith which was sacredly kept (a thing not uncommon in those days) this young man of twenty-one set out without money or acquaintance to the land of romance, the vast stretches of the southwest.

Young Warren eventually landed by boat at the frontier post of Fort Smith then in the Territory of Arkansas. It was in 1836 that this young man really started on his career, his heart full of hope and armed with a typical Yankee thrift that stood him in good stead. Being resourceful of mind and observing everything of interest that the scouts and Indian guides would inadvertently relate, he quickly conceived and carried out the idea that makes possible this story.

The thought of quick or easy fortune haunts each generation; it is either gold mines, silver mines, diamonds, and in our time, oil, that spurs the ambitious to action. But the prevailing thought of quick fortune at that particular time centered about the trade of furs and hides.

Frontier trading posts with Indians had already been established on the Headwaters of the Missouri, Platte and Arkansas

rivers. Warren conceived the idea of such an enterprise far up the Red River. The hustling town of St. Louis had already become a great center of trade in furs and hides from the vast empire to the west. As a result of the many active dealers of those early days, St. Louis, until this day remains the largest fur and hide market in the world.

#### STARTS FOR UPPER RED RIVER

Easily gathering about him eager volunteers from the ranks of the many young adventurers who constantly visited a frontier town, as was Fort Smith at that time, Warren formed a caravan, with proper Indian guides and interpreters and set out in high spirits for whatever experience might confront them.

To fully comprehend this story it requires that the reader be able in his imagination to wipe out and erase from the map every city, town, village, house, road, fence and bridge, and carry in mind only natural objects as streams, hills and mountains. No government forts existed west of Fort Towson and Fort Gibson. For more than one reason, close to these posts at that time hung the settlements of the Five Civilized Tribes. In fact, the western boundary of the United States extended no further than the western line of the present Oklahoma. This region was one of the dark corners of the world, unexplored and still given over to the dreaded prairie Indians. Accounts of their bold and cruel raids on the white settlers in South Texas and against the Mexicans along the Rio Grande were taking first page positions in Eastern and European newspapers. Cynthia Ann Parker had only recently been carried away by one of these bands.

In order that the date and time may not be confounded, it is well to remember that the Mexican war had not yet occurred; hence, troops had not penetrated outlying districts in the west as they did immediately following the close of that war. All the land between the Canadian and Red River, as far as the 100th meridian, (wherever it was) had been ceded to the Choctaw and Chickasaw Indians. This meridian was marked on paper only. For obvious reasons, there was no occasion to locate it at that time. Into these unexplored, grey-hued and melancholy scenes, Warren and his little band of daring spirits intrepidly pushed their way.

## BUILDS FORT ON CACHE CREEK

Whether, in locating his trading post, Warren explored Red River higher up the stream than Cache Creek is not known. Building timber could not have been found further west than this point. This was in the vicinity of the wild tribes, and the fine timber of lower Cache Creek made it a logical location for the enterprise. Also, in the "trade territory" of this post are the great number of other important timbered streams, as the Big Wichita, directly in view across Red River; the little Wichita and the Beaver Creeks. West Cache, Deep Red Run, the Washita River, Big Elk, Otter Creek, as well as the densely timbered uplands of Caddo County and the Wichita Mountains, all of which furnished habitats for much wild game and fur-bearing animals.

No doubt the advice of Indian scouts on these natural conditions caused this point to be selected for the trading post. Cache Creek aside from being one of the largest streams that originates within the state (originating in limestone hills) is the best timbered stream in the prairie regions between the upper Cross Timbers and the Pacific coast. Building timbers and wood for fuel were important requirements with Warren.

## CONFIRMING LOCATION OF THIS POST

Warren's Post was built, occupied, abandoned and destroyed before the Mexican War had fully ended. As to the date it was established, there is some difference of opinion. Those connected with this post were grown men at that time and are all dead now. Great activities and developments followed the Mexican War, and then the distressing conditions during and after the Civil War had much to do with failure to remember this solitary enterprise, embarked upon quietly and without advertisement and carried on far beyond the ken of white men. Some think this post was not erected until 1842. We know positively it was abandoned in 1846. Some think it was built as early as 1839.

In the early 'seventies, hunting parties, and the first settlers in Texas directly across from the mouth of Cache Creek, mentioning in this connection Robert and Ed Grogan, and other people even as late as 1901 took notice of what was believed to have once been the path of a long-past tornado



which traveled across the timbered valley of Cache Creek about two miles above the mouth of the stream. The timber differed in age from that surrounding. Also, on the creek near this was an old ford. Below this point and this ford no timber grows on the east bank of this stream and for two miles before emptying into Red River, Cache Creek develops into a deep, wide lake.

This trading post was built on the east bank in a wide, open prairie down stream from this ford and available timber. It was situated on what is now the northeast quarter of Section 8 in Township 5 south, of Range 10 west, about a half-mile from the north bank of Red River and four hundred yards from the deep, broad lake of Cache Creek.

When the Kiowa-Comanche country opened in 1901, Mr. Todd filed on and improved this piece of land. A great pile of shapely stones were found in the open prairie about the center of the tract of land. They were not placed there by nature. Very conveniently were they hauled out and used for foundations under the new buildings erected on the homesteads. In turning the sage grass sod, other things were turned up that showed signs of civilization. The heavy oak logs once set on end in a trench evidently had burned and left their mark in the soil. It was then that the writer began to take notice of this matter.

Contemporary with the opening of this country the treasure hunters came too. Quick to perceive the slightest footprint or sign of man long gone, fortunately these treasure seekers detected the tree marks near the old ford in question. The proverbial Mexican map showing the location and markings came into play. For years these persistent fellows patiently dug, sounded and searched for a pot of gold. Trees were sawed down and rings of the trunks counted to arrive at dates. Clearly one showed the hack was made in 1852 and others showed 1839 and 1840.

By searching the maps and reports of the War Department of expeditions for any informations that might be found on this locality, the map and report of Captain Marcy's exploration of upper Red River in 1852 was found to be marked on the map "X Warren's T. H." No comment was made in his report.

This trading post had already been abandoned for six years and had probably burned during a prairie fire. His report made specific reference to having camped and crossed Cache at the ford mentioned here, hence, the tree marks of 1852 found by the closely observing and accurate treasure hunters. It is reasonable to presume that the Warren marks showing 1839 or 1840 were equally as accurate.

The location of this trading post by section lines in the present day is ten miles south of Temple and is thirty-one miles south and seven miles east of Lawton, Okla. The circuitous route that had to be traveled in those days in avoiding gulches, heavy timbered regions and in reaching solid bottom fords required the 350 miles traveled from Fort Smith.

#### LIFE AT THE POST

Through many incidents related by Abel Warren to his children, many years after having lived in the midst of these wild scenes, to Mrs. Sabra Cason, of Arkansas, a daughter, and from an article written by W. J. Weaver many years ago, descriptive, of a visit to this post about 1842, which is quoted later in this article, it has been possible to obtain a very good and fairly accurate idea of the life at this fascinating place.

The occupants of this post consisted at all times of at least ten or twelve men. This was required for safety. On arrival of the pack-trains or caravans more than double this number were often present. Usually, two or three Delaware Indians, the pre-eminent tribe of faithful interpreters, were kept at the post. However, it is due him to mention Turcoquash, a full-blood Choctaw who served in that capacity well and acted many times as guide, scout and hunter of game for the caravans traveling back and forth to Fort Smith.

In the earlier days of this post there was no Fort Washita nor Fort Arbuckle. The nearest settlement in Texas at the time this post was established was in the vicinity of Pilot Point, Texas, where a few families had located. A few scattered pioneers lived in the locality of Sherman, Texas. Not until 1843 did the Willis family and the frontier citizen Overton (Sobe) Love, a part Chickasaw, locate in the eastern portion of what is now Love County, Oklahoma. Warren's caravans passed Love's place and these two young men became fast friends. It was

Sobe Love who brought back from Fort Washita (later established) as far as to his home, the mail containing fat love letters from Warren's sweetheart in Massachusetts. A courier from the post dispatched for this mail was oftentimes met fifty miles out from the post on his return trip by the eager Warren. Many years afterward, when this same girl became the mistress of Warren's plantation of many negro slaves on the Arkansas River, feminine like, she delighted in recalling the above incidents.

The four high towers erected at each corner of this large double-log building were occupied day and night the year round by from one to four sentinels. This protection and unusual advantage in connection with a stockade built of hundreds of oak logs, standing upright twelve or fifteen feet high around the premises in reasonable gunshot range, largely dissipated all fear on the part of the accustomed occupants. When the horizon appeared clear, adventurous squads would sometimes sally forth some distance on exploring or hunting trips. Wild game of all kinds was the chief menu at the post. Fish from Cache Creek and Red River were close at hand. The pack trains never left nor approached the post except during the dark hours of night. Without apparent preparation during the day time, they stole away early after dark and were usually far from the danger zone at daybreak. They evidently crossed Big Beaver Creek at the "Rock Crossing," an ideal ford used afterwards on the Fort Sill-Texas highway. Thousands of homeseekers' wagons crossed Beaver at this point in 1901. Evidence of this as an old ford showed clearly in 1860. Also the post was reached by the caravans far in the night. Horsemen preceded the caravan to ascertain if the way was clear and if all was well at the post. These caravans subsisted on the wild game as they traveled to and from Fort Smith. On one occasion, after a long drouth, presumably the drouth of 1841, when all game had migrated, a party of twenty in one of these caravans came near famishing.

The call of the wild answered by the young, rambling, adventurous spirits who naturally visited an open, frontier town, at Fort Smith, furnished abundant material for free help on these trips to Warren's post. Also, some who fled from true bills of grand juries in the eastern states were glad to find a refuge at



this isolated post. This free help enabled Warren to prosper in his unequal transactions with the wild Indians who bartered hundreds of valuable pelts for cheap red strips of cloth. Even red calico was traded for Mexican boys found captives among these visiting bands of Indians. At numerous times during the life of this post, many a "hard" bargain was finally driven in dealing for some of these forlorn, blistered and footsore sons of the Rio Grande. Usually the Comanche tribe is given all the credit for such outrages, but the Kiowas and Wichitas were not entirely "without honor" on this score. These Mexican boys were sent out with the caravans to be adopted by the noble-hearted people in and around Fort Smith. Some descendants of these still reside in that vicinity. There is no doubt that the then young girl captive, Cynthia Ann Parker, visited this post with these identical Comanches. Some devoted foster mother of this girl probably took care that she was not seen by the pale-face occupants of this place.

#### POST ABANDONED

Warren had now been away from Massachusetts, and his faithful sweetheart, ten strenuous, lonely years. The fur trading post had prospered. Leaving the business in the hand of one believed trustworthy (it was early in 1846) he left this crude, but fascinating post and started over the long and circuitous route for Boston. It took months to reach his destination. On reaching New Orleans he purchased new clothes and had his picture made. (Illustration accompanying this article). After reaching Massachusetts and claiming his bride he spent a few leisurely months before returning to the distant southwest. Eventually a letter came advising him that the custodian of the far distant store on the banks of Cache Creek had appropriated to himself everything at the post: all hides, furs, and stock had been carried away, sold for cash and the scoundrel had absconded.

This ended the life of this interesting enterprise. It remained only in the memory of the wild tribes. The building and grounds once more went back into the hands of nature as the wild animals explored this strange, deserted citadel. Exultant packs of grey wolves howled, and the high bluffs of Red River flung back the echo. The black bear explored the mysterious labyrinths of this strange, man-made abode, and the wild

geese and ducks coming from the north soared high and circled many times before alighting once more with safety in the placid, deep waters nearby. Herds of buffalo grazed about once more without fear of molestation, and wild horses again galloped from the smooth prairies to quench their thirst with the clear waters of Cache Creek. Man had left his mark, quickly obliterated—nature again held sway.

#### MARCY'S EXPLORATION

Six years after this post was deserted Captain Marcy in 1852 with a well armed and equipped company of soldiers started from this place on his exploration of Red River of which nothing was known above Cache Creek. He makes constant reference to the wild animals which roamed this locality.

#### WARREN BECOMES WEALTHY

Young Warren and his wife, after failing to secure passage by ship at New Orleans to California via Cape Horn, returned to Fort Smith. There they settled on the Arkansas River and became wealthy slave owners. During the Civil War he refugeed with his slaves and livestock to a point on Red River near the present Denison, Texas, known as "Warren Flats." His familiarity with that locality came about from the fact that his first trading post was established there in 1836, at a point known afterward as "Old Warren." This was on the south bank of Red River one mile below the mouth of Choctaw Creek, and in the extreme northwest corner of the present Fannin County. This point served, in 1838, as the first county seat of Fannin County. Its construction for safety against attack was similar to the one described before at the mouth of Cache Creek. Discouraged at the encroachments of civilization and being far from his more lucrative customers, the prairie Indians, Warren closed shop, returned to Fort Smith, organized a daring band and set out for the upper Red River country, about 1839.

#### DEATH OF HIS SON

Accompanying Warren in 1863, when he refugeed on Red River, was his young son, William, nine years old. During this time the son died on the north bank of Red River from a congestive chill. Friendly Choctaws in the vicinity on learning that Warren could not transport the corpse to his homeland

in Arkansas, due to that region being in the hands of the enemy, suggested and did embalm the child until the later day, more than a year afterwards, when Warren interred the remains at Ft. Smith. These Choctaws enclosed the body in a heavy bath of charcoal and nailing all four sides of the box, swung it on a heavy grapevine into an abandoned well near the water. One extremely old Choctaw citizen told the writer of aiding in this and of seeing the perfectly preserved corpse when removed from its position fourteen months later.

Aside from the dim recollections of one aged Wichita Indian, ninety years old, who recalls seeing somewhere on Red River during his boyhood days a building similar to this, it is of interest to get a first-hand account by a person who came with one of the pack trains to this post and viewed it for a few weeks.

The article was written by the late Col. W. J. Weaver of Fort Smith in 1896 and is believed to have been penned fifty-four years after his visit to Warren's Post. His son, Mr. J. F. Weaver has lent much aid as has also Mrs. Sabra Cason, in helping gather data on this subject.

#### WEAVER'S DESCRIPTION

The article by Colonel Weaver, written in 1896, touches on the Warren post as follows:

There were fortified trading posts a few hundred miles apart - - - - - and one on Red River by Abel Warren a resident of Fort Smith. The post was surrounded by a strong, heavy picket of logs planted in the ground about fifteen feet high with a two-story log tower at each corner, with portholes for shooting through and covering approaches to the wooden palisade. These log towers or bastions were about twelve feet square and furnished with sleeping bunks for the men and a dozen muskets with buckshot for short range work. On two sides of the enclosure were strong gates for the admission of stock and wagon trains. Sheds and warehouses were on the inside walls of the palisades and a corral for stock on the prairie outside.

A stay of a few weeks at Warren's Fort gave the writer some insight in the trade and life at the post. The year round



was occupied mostly in trade with small parties of Indians of various tribes—Kiwias, Wichitas, Tonkawas, Caddoes and Delawares. The stock was driven out of the fort corral at day-break and herded on the prairie within sight of the watchman on the tower, and driven in at night. There were eight whites and four Delawares in the little garrison, but always a few hunters and friendly Indians in the vicinity. No danger was apprehended only from large bands of Indians of a known desperate character. If the Indians were successful in an attack in great numbers it would certainly result in a fearful loss of life to themselves. This fact they knew, and robber Indians always ignored game not worth the candle. A few men in each tower with their stacks of ready loaded muskets could make havoc in a horde of savages mostly armed with lances and arrows.

#### BUFFALO DROVES

It was in the fall, and the great droves of buffalo were making their way to the plains in southwestern Texas, away from northern blizzards. Some of the droves passed within a short distance of the fort, and our stock was kept in corral to prevent a stampede. To a tenderfoot the view was an exciting novelty.

The buffalo would rush along in compact masses with tails erect, for a mile then check up and radiate from the center in lines, browsing on the herbage. After a while they would close up and rush forward, drove after drove. They were three days passing in sight. Scores of Indians were in the rear, the men charging on the herd with lances, and Indian boys and squaws catching and killing crippled and weakling calves.

#### WILD INDIANS

A few days afterward we were roused in the morning by whoops, yelps and trampling of horses around the enclosure. Several hundred Comanches had arrived, and many camped and staked up their skin lodges close by. Young men dashed around on horseback, old women were shrieking, children were chattering and playing. A hundred little "columns of slow rising smoke" were seen above Gypsy kettles on tripod sticks. Young women were toting water in skins on their backs. Other girls led ponies laden with calfskin water kegs. Old women were

stretching and pegging buffalo hides on the ground, others were scraping the hides, others were unloading buffalo meat from the ponies and cutting it in slices for drying. Many of the young men were staking out and rubbing their horses. Old dignitaries stood around smoking and waiting for the kettle stew.

Our stock of cattle and horses were driven from the corral into the enclosure and secured in the sheds inside. The gates were closed and secured, and presently they came in crowds to the fort to trade with bundles on their backs. After much wrangling with our interpreter they were admitted, three or four at a time, after leaving their belt knives and hatchets outside. The chief of the band was there. He said nothing but looked at the trader. The trader looked at him a moment, then took down a bridle richly ornamented with red woolen fringe and tin stars, and gave it to him with a plug of tobacco. The chief grunted, nodded, lit his pipe, and the trading went on and lasted for several days. They first asked for liquor, which he did not keep, and were much disappointed when he told them he had sold out all he had. Their stock in trade was furs of all kinds, dressed buffalo robes, dressed and raw deer skins, dried buffalo tongues, beeswax, and some had Mexican silver dollars. They bartered these for red and blue blankets, strips of blue cloth, bright colored gingham handkerchiefs, hoop iron (for arrow and lance heads), glass beads, heavy brass wire, which they twisted around the left wrist to protect it from the recoil of the bow-string, vermilion, red and yellow ochre for face paint, bright-hued calico and wampum beads, which they wore around their necks in great quantities. These beads were from two to four inches long, pure white, and resembled clay pipe stems in size. They were highly esteemed and served the part of currency in their dealings. They wanted guns but the government forbade the sale of firearms at the time to wild Indians. Much of the trading was done by signs. One finger was for one dollar, five fingers five dollars, cross the forefinger was half a dollar. Stretch out the arm and touch the shoulder was a yard measure.

They finally broke camp and in an hour were out of sight. After they had left we learned that they had three white captives whom they kept out of sight. We notified this fact by

letter to Lieutenant Hancock (afterwards General) commanding Fort Towson, also to the officers at Fort Gibson. Captain Boone (a son of old Daniel Boone), with his company of dragoons some time afterwards went out to the plains of western Kansas and rescued these captives from the Comanches and brought them in to Fort Gibson. One was a Mexican boy twelve years old. He spoke Spanish and Comanche and he was very expert with the lasso and bow. He could tell nothing of his name or location, being very young when taken. The Indians had got to the cornfield where they were hoeing, killed his father and grandfather, and carried him off. The woman and her two children had been captured while washing at a branch some distance from her home. She was restored to her friends in Texas.

*W. H. Clift.*



## THE CHEROKEE QUESTION

---

### EDITORIAL INTRODUCTION

---

In the following paper there is reproduced the text of a document which was published in pamphlet form by the commissioner of Indian Affairs pending the negotiation of a new treaty between the United States and the Cherokee Nation, after the close of the Civil War. In the decision to republish the text of the document (together with certain subjoined extracts from the annual reports of the commissioner of Indian Affairs for the years 1861, 1862 and 1865 and from the Official Records of the Union and Confederate Armies), it has not been with a sole view to rendering this material more readily available for the use of the student of a most interesting era in the history of the old Indian Territory. Rather, there has been a two-fold purpose in mind, for, aside from its direct bearing upon the history of one of the most important Indian tribes in the United States, it also serves to throw new light upon the part which was played by the politician, both white and red, in the attempted adjustment of matters of policy having to do with Indian affairs. In a state paper that was biased to the point of downright unfairness, as this one unquestionably was, it is also important that the actuating motives of its projector should be developed and made plain.

The pamphlet known as "the Cherokee Question" was published by the office of the Commissioner of Indian Affairs, in June, 1866. Its evident purpose was to discredit John Ross and the Northern or "Loyal" faction of the Cherokee people, of which he was the acknowledged leader. With the questions at issue between the rival factions in the Cherokee Nation, the unbiased investigator and commentator can have no part. Be that as it may, however, a document which was issued under the sanction and approval of those in high official authority should

always be subject to careful scrutiny as to the source of its inspiration and as to the fairness and truthfulness of its arguments and conclusions.

Within a few weeks after the appearance of the pamphlet in question, John Ross died in Washington, where he was present as one of the representatives of the Northern, or "Loyal" Cherokee party, for the purpose of helping to negotiate a new treaty with the Federal Government. The death of Ross was followed by a realignment of the political factions or parties of the Cherokee Nation which in turn resulted in laying the active hostilities of the feud which had so long distracted the people of that tribe—a result the impossibility of which it had been the labored effort of this pamphlet to prove. With the passing of John Ross and the organization of the Downing party in the Cherokee Nation, the alleged necessity for resorting to a permanent division of the Cherokee tribe and its dominions disappeared. The reason for the preparation and publication of the pamphlet having thus vanished, there would seem to be reasonable ground for presumption that a part if not most of the edition was destroyed or suppressed, as but few copies are known to be in existence now.

Shortly before President Lincoln's death he had appointed Senator James Harlan, of Iowa, to the office of secretary of the interior. Secretary Harlan was retained in the same position by President Andrew Johnson. Under his direction, the Indian Office and the Indian service generally were reorganized. Dennis W. Cooley, of Iowa, was installed as commissioner of Indian Affairs, and Elijah Sells, also of Iowa, was appointed as superintendent of Indian Affairs for the Southern Superintendency, with headquarters at Fort Smith, Arkansas. During the last session of the preceding Congress, before he had accepted the portfolio of the Interior Department, Senator Harlan had introduced a bill for the organization of the Indian Territory under a territorial form of government.

In the peace council which was held at Fort Smith, Arkansas, in September, 1865, for the purpose of attempting to negotiate new treaties between the Federal Government and the Indian tribes which had been in alliance with the Confederate States, both factions of the Cherokee people were represented. John Ross, who had served as principal chief of the Cherokee Na-

tion since 1828, was the leader of the Northern or "Loyal" Cherokees, while the titular head of the other faction was General Stand Watie, who, though a younger man than Ross, was possibly more inclined to share the honors of leadership with men who were still in the early prime of life. Among the latter were Elias C. Boudinot, Clement N. Vann, and William Penn Adair, three of the most brilliant and accomplished personalities ever produced in the Cherokee Nation.

When the peace council convened at Fort Smith, the delegates from the Choctaw and Chickasaw nations, well aware that their people had been almost unanimous in their alignment with the seceding states, practically threw themselves upon the mercy of the Federal Government, with but little to say as to terms. In the Cherokee, Creek and Seminole nations, however, there had been divisions, some of the people of each of these tribes having adhered to the Union. There were two delegations, therefore, respectively representing the rival factions in each of several of the tribes. This lack of unity and harmony in the counsels of some of these tribes, notably those of the Cherokee Nation, tended to prolong the sessions of the peace council unduly. As the Government peace commissioners had other appointments to meet elsewhere, the council was finally adjourned to meet in Washington the following spring.

In addition to the Government peace commissioners and their entourage and the Indian tribal delegates, there were many politicians present from some of the western states. Some, if not most of these had served in the Indian Territory with the Federal Army. They attended the peace council for the purpose of insisting that places be found in the Indian Territory for the removal of Indian tribes from other western states and territories. In writing of this feature of the gathering, nearly twenty-five years later, Milton W. Reynolds (who personally witnessed the proceedings of the peace council as a press correspondent) made the following comment:

It was largely a Kansas idea and Kansas men were there to enforce it. General Blair and Hon. Ben. McDonald (brother of Senator McDonald, of Arkansas), General Blunt, Eugene Ware and C. F. Drake, the Fort Scott banker, and others were present as persistent inside counsellors and lobbyists. Kansas was then plastered all over with Indian reservations. She wanted to get rid of Indians, who owned all her western plains and her choicest lands in Southern Kansas.



The Southern Cherokee delegation was apparently willing to accede most of the propositions submitted by the Government peace commissioners. A willingness to permit the settlement of other Indian tribes, from Kansas or elsewhere, on the surplus or unused lands of the Cherokee Nation, especially those of the Outlet, was evinced. The Northern Cherokees, on the other hand, were exceedingly loath to consider such a suggestion, stoutly asserting that they were being punished for recreancy of a minor faction of the tribe. The Southern Cherokees had suffered the forfeiture of their property as the result of an act of the Cherokee National Council which was wholly under the control of the Northern Cherokee party. Under such circumstances, it would not have been strange if the exiled and impoverished Southern Cherokee delegates should have sought and found favor with the Government peace commissioners by readily agreeing to the proposed settlement of other tribes in the Indian Territory, to the establishment of an inter-tribal territorial government and to the building of railway lines through the Indian Territory. Thenceforth, as is apparent from the text of the pamphlet, the Government peace commissioners virtually became the champions of the faction which had lately been alliance with the Confederate States against the Government as against the other faction which had given tardy adherence to the Union. In other words, by their skill in political finesse and manipulation, these shrewd Cherokee politicians appeared not in the role of suppliant and repentant insurrectionists but rather as counsellors and advisors of the Commissioner of Indian Affairs and the Secretary of the Interior, aiding and advising them in the formulation of their policies and influencing them in the course to be chosen and pursued. The resolution of the Government peace commissioners at Fort Smith not to recognize John Ross as the principal chief of the Cherokee Nation undoubtedly had its inspiration from this source. The selection of Albert Pike, Douglas H. Cooper, J. B. Luce, T. J. Mackey and others to write letters advising the division of the Cherokee Nation into two separate political entities and the manifestly common source of inspiration of several of these letters, notably those of Generals Blunt and Cooper and Mr. Tebbetts, could scarcely have been the result of chance, neither was the obvious omission of requests for expressions of opinion in regard to the questions at issue from John B. Jones,

William L. G. Miller or William A. Phillips, than whom there were none better informed concerning conditions among the Cherokee people.

After this pamphlet had been compiled and printed, a new treaty was negotiated and signed without any provision for a division of the Cherokee Nation. The death of Ross gave a new aspect to the situation. John B. Jones and Lieutenant Colonel Lewis Downing, ranking Cherokee officer in the Federal service, leaders of the full-blood element in the old Ross party, met Boudinot and Adair, of the Southern Cherokee faction (the old Ridge party), half-way and the result was the organization of the Downing party. While the spirit of the old feud did not die (and, indeed, still persists in the hearts of some of the Cherokee people to this day), the carnival of violence and bloodshed, which had been so freely predicted in the solicited correspondence which was reproduced in Commissioner Cooley's pamphlet, did not follow. Peace and prosperity came back to the Cherokee Nation.

All of the actors in the peace councils of 1865 and 1866 have passed away. The Cherokee Nation itself has ceased to exist, even as a dependent political organization. Why the loyal Cherokees should have been subjected to such vigorous hectoring and grilling and pamphleteering at the hands of the Government peace commission while the other faction as well as other tribes which had not only gone into alliance with the enemy but, moreover had never made any effort to repudiate such alliances, were treated with seeming leniency in comparison, was not made plain at the time. The presence and activity of such adroit political manipulators as Clement N. Vann, Elias C. Boudinot and William Penn Adair on the delegation representing the Southern Cherokees probably accounts for the course pursued by the Commissioner Cooley toward the majority faction of the Cherokees. While he may have been accounted an experienced and skilled politician in his home state, he proved to be but little more than an amateur when it came to matching wits with those of Vann, Adair and Boudinot.

*Joseph B. Thoburn.*

## THE CHEROKEE QUESTION

---

*Department of the Interior,  
Office of Indian Affairs,  
Washington, D. C., June 15, 1866.*

*To ANDREW JOHNSON, President of the United States:*

The undersigned, Commissioner of Indian Affairs, as president of the southern treaty commission, charged with the duty of negotiating treaties with the several tribes of Indians located in the Indian country or in the State of Kansas, and also with the Indians of the plains west of Kansas and the Indian country, has the honor to submit the following additional report:

All that was done by the commission at Fort Smith, Arkansas, in September last, and how it was done, in discharge of the duty imposed by your order, is already fully reported and published in my annual report for the year 1865, commencing on printed page 296 of that report, to which I beg leave to refer.<sup>1</sup> It will be perceived that the commission was only in part successful, owing, as was asserted by the Indians, and believed by us, to the fact that several of the Indian tribes, including the Cherokees, had not been notified that new treaties with them were desired by the government, and that they had not been properly authorized to make treaties by which any of their lands were to be set apart to the United States, for the use of the friendly tribes in Kansas and elsewhere, as contained in paragraph No. 5, on page No. 299, of the report above referred to, and that the Cherokee national council must first authorize such a treaty to be made, and appoint the commissioners to make it.

No objection was made by the delegation to the several propositions, *except the want of power and authority* in the delegates then present. They promised to return home, and lay these propositions, and all other matters, before their national council, and receive their instructions. No doubt was then expressed that the council would confer all the necessary power upon a commission to make a treaty. They were then informed that the delegation to make a treaty would be called to Washington City,



probably, early in December then next, for that purpose. After your commission ascertained that a full treaty, according to our instructions, could not be made, for the above cause, the commission submitted the articles of a partial treaty, as set forth on pages 301 and 302 of the report above referred to, a copy of which was furnished to each tribe. The Cherokees had from the beginning persistently contended that, although it was true that the treaty of Oct. 7, 1861, was made with the Confederate States, that they had done so *under coercion* of the rebel army, and that said treaty was not binding, but as to them was null and void.

On the day the copy of the partial treaty was furnished the Cherokees, September 13, we were informed that John Ross, the principal (4) chief of the Cherokee nation, had arrived in the camp of the Cherokees. That same evening the several Indian agents were called before the commission and asked what was the prospect of their several tribes signing the treaty. The Cherokees were first called. Agent Harlan, for the Cherokees, answered that the Cherokees claimed that they had signed the rebel treaty to avoid annihilation by the rebels, and that the same was null and void: that the majority of the nation had all the time been loyal to the United States and only yielded to power they could not resist; but that as soon as they found a force sufficient to protect them, they joined the Union army and fought to the end of the war, and fought well. And all this he believed, claiming, as they did, that if true, there was no forfeiture on their part. He gave it as his opinion that while the recitals in the preamble remained, asserting a forfeiture of money and lands, they never would sign it, and that he, believing it, would not advise them to do so, unless under a protest that they had signed it to prevent total destruction of their lives and property; but that, under such protest, he would advise them to sign it, and thus save the question of forfeiture for fuller inquiry. He thought they ought to and would sign it under protest.

To this protest the commission consented, and Agent Harlan wrote the protest, which was at once submitted and allowed. You will find this paper on page 304 of the Report of the Commissioner of Indian Affairs, above referred to, as having been made by Colonel Reece at the time of signing of the treaty.<sup>2</sup>

Without entering into details in regard to the facts apparent to the commission tending to show that it was the influence of John Ross which, even now, hindered the Cherokee delegates from signing the preliminary treaty, it may be sufficient to say that very shortly after the commission had decided no longer to recognize Ross as the chief, under what they deemed ample evidence of his bad influence upon his people, and his steady and sincere disloyalty to the government of the United States, the delegates representing the Cherokee Nation did sign the treaty.<sup>3</sup>

To the commission, when at Fort Smith, it seemed very clear that John Ross, within one month after the late war commenced, clearly took sides with the rebels and against the government of the United States and that, within four months, the whole nation, in general mass meeting called by, and after a speech from him, unanimously resolved to throw off their allegiance to the United States, and join the Confederate States.<sup>4</sup> If we were right in our conclusion (and I still think we were), John Ross was all the time, and the whole nation after the first four months, disloyal. In August, 1861, General Stand Watie received authority from General McCulloch to raise a battalion in the nation for the rebel service. This force was raised and organized in the December following.<sup>5</sup> In July and August, Colonel John Drew, by express authority of Mr. Ross, raised a regiment for the same purpose. General Stand Watie's regiment continued in the rebel service to the end of the war. Colonel Drew's regiment continued in the rebel service until after the battle of Pea Ridge, where most of the (5) regiment fought in the rebel army and shared in its defeat. Shortly after that memorable defeat, three important events took place: the rebel army was driven out of western Arkansas; the Union army, under Colonel Weer, invaded the Cherokee Nation with a force apparently invincible; and the confederate government was found unable to pay its troops in anything but confederate money—nearly worthless. How much either one or all of these events had to do with Cherokee returning loyalty, others can judge as well as we. The facts exist; the returning loyalty followed closely on the heels of these events. Drew's regiment abandoned the rebel service and enlisted in the Union army. One other regiment, under Colonel Ritchie, was raised in the Cherokee Nation. Both regiments served the Union to the end of the war.

From August, 1862, until last September, Mr. Ross, all the time chief, had not once been in the Cherokee Nation, and so far as we then knew, or so far as I now know, Mr. Ross had taken no active interest in Cherokee affairs. If his zeal were as great as he now pretends it always has been in the Union cause and for the Cherokee people, whom he had served so long and so successfully, and whose welfare he had so industriously and influentially promoted, it seems somewhat strange to me that he should have abandoned the Union cause in its great peril in 1862, and strange beyond belief that he should for more than three years have abandoned the Cherokee people, when ruin, swift and certain, was overwhelming them; when his influence, acknowledged ability and foresight were so much needed among his people; and quietly settled himself down in Philadelphia, 1,600 miles from his people, at an expense of some thirty thousand dollars to the nation, while the people whom he loved so well (!) were half starving for want of these thousands so prodigally spent by him.<sup>6</sup>

Inasmuch as the claims of John Ross, and his party in the Cherokee Nation, to loyalty from the beginning of the war, in April, 1861, are a very important element in the consideration of the subject of the just course to be pursued by the government towards the Cherokees as a people, I beg your indulgence while I devote some space to that particular issue.<sup>7</sup>

In the months of May and June, 1861, Mr. Ross wrote several letters declaring a firm determination to maintain perfect neutrality. These letters manifest considerable ability and much firmness on the part of Mr. Ross; and yet as early as the 17th day of May he received a letter from Colonel Kenney, commanding the rebel forces at Fort Smith, inquiring what course he as chief of the Cherokee Nation, intended to pursue in the war then begun. This letter was sent to Mr. Ross by Mr. J. B. Luce, of Fort Smith. I have seen it but it is now mislaid! This letter was answered by Mr. Ross, and is one of the letters in which Mr. Ross maintains his right to remain neutral.<sup>8</sup> But *to the bearer* of that letter he said verbally, "I claim the right to remain neutral but, if I am ever compelled to take sides, I am a southern man, born in the south, a slaveholder, *and shall take sides with the south.*"

On the 12th day of June, 1861, General McCulloch wrote to Mr. (6) Ross (see his letter, Appendix, No. 1), assuring him



of his friendship and determination, if possible, to respect his neutrality on certain conditions, one of which is, that all Cherokees, so disposed, must be allowed to join the army as home guards, for the purpose of defending themselves in case of invasion from the north; and McCulloch adds: "This, of course, will be in accordance with the views you expressed to me, that, in case of an invasion from the north, you would lead your men, yourself, to repel it."

To this (June 17, 1861), Mr. Ross answered (see letter, Appendix No. 2), reiterating his firm purpose to remain neutral and declining to permit the Cherokees to organize as home guards, asserting his friendship for General McCulloch and for the people of Missouri, Arkansas and Texas, saying that General McCulloch had mistaken what he had said eight or ten days before, and repeating what he did say, thus: "I informed you that I had taken a neutral position, and would maintain it honestly; but that in case of a foreign invasion, old as I am, I would assist in repelling it. I have not signified any purpose as to an invasion of our soil, and an interference with our rights from the United States or Confederate States, because I have apprehended none and cannot give my consent to any."<sup>9</sup>

From this correspondence between General McCulloch and Mr. Ross, it is perfectly apparent that there had been a conversation early in June, between them, entirely different from the written correspondence, in which Mr. Ross had, by his own version, agreed to assist in repelling foreign invasion," and, in the General's version, said that he would lead his own men to repel an invasion by the north.

There was some reason for this difference. I can see no reason unless it was that a written pledge to repel the north might fall, by some accident, into the hands of the northern government and endanger the Cherokee lands and annuities, and that an unwritten pledge would not. Mr. Ross seemed anxious that his public correspondence should show the United States that he refused all overtures from the Confederate States, and that his verbal pledges should fully convince the Confederate government that he would be faithful to them and faithless to the United States. In this he succeeded.<sup>10</sup>

Some time previous to the 21st of August, 1861, Mr. Ross gave notice, and called a general mass meeting of the Cherokee

Nation, to meet at Tahlequah, to consider Cherokee difficulties. At that meeting several speeches were made, all in favor of repudiating all treaties with the United States, and in favor of a treaty with the Confederate States. Among them was a speech from Chief Ross, afterwards published, but not in my possession. In that speech Mr. Ross stated that the object of the meeting was to consider the propriety of joining the southern confederacy. He gave it as his opinion that it was best for the Cherokees and all other Indians to do so at once; that he was, and always had been a southern man—a states' rights man—born in the south, a slaveholder; that the south was fighting for its rights against the oppression of the north; that the true position of the Indians was with the southern people.<sup>11</sup>

(7) After his speech, the vote (as he says, of 4,000 Cherokee males then present) was unanimous in favor of abandoning the United States and in favor of joining the confederates. That such was the action of the mass meeting at Tahlequah, such its objects and such its results, is clearly established by his letter to that true patriot, Opothleyoholo, the Creek chief, September 19, 1861. (See this letter, Appendix, No. 3). In this letter Mr. Ross congratulates himself that the "Great Being who overrules all things for good has sustained him in his efforts to unite the hearts and sentiments of the Cherokee people as one man," and that "at a mass meeting of about 4,000 males at Tahlequah we have, with one voice, proclaimed in favor of forming an alliance with the Confederate States, and shall thereby preserve and maintain the brotherhood of Indian nations in a common destiny." In this letter Mr. Ross acknowledges—rather boasts of—his efforts and success in his work as an emissary among the Cherokees for the benefit of the southern confederacy.

Again, on the 8th day of October, 1861, he wrote to the same Opothleyoholo, acknowledging that he made an address to the mass meeting at Tahlequah, and sent him a copy of it. (See copy of his letter, Appendix, No. 4). In this letter Mr. Ross says he is grieved to hear so many bad reports (reports of the defection of Opothleyoholo and his band from the Creek council), and reiterates his advice to all brethren to be united and friendly among themselves.

In June General Pike and General McCulloch, in company, visited Mr. Ross at Park Hill, his place of residence. For what

took place at that meeting, nothing being done at that time in writing, we have the letter of General Pike, giving a full and detailed statement, apparently intelligent and candid, of the whole matter in relation to the treaty with the Cherokees and other tribes from first to last, a copy of which letter is annexed. (See Appendix, No. 5).

The letter of General Pike disclosed the fact that Mr. Ross, even at that time, so far as *writing* was concerned, clung to his neutrality and refused to enter into any treaty with the southern confederacy; but he said that all his interests and feelings were with the south; that General McCulloch informed Mr. Ross that he would respect his neutrality, "and would not invade the Cherokee Nation unless compelled to do so; that General McCulloch kept his word, and that no confederate troops were ever stationed in or marched into the Cherokee country until after the federal troops invaded it," which was *eight months* after the Cherokee treaty had been made with the Confederate States.

This letter effectually disposes of all pretense of *coercion* from the rebel army, either of Mr. Ross or the Cherokee people. It also shows that what was done they did voluntarily, and that their pretenses to the contrary, whether by Mr. Ross or the Cherokee people, were without the smallest particle of truth. This assurance of General McCulloch was given in June, 1861. The treaty was made October 7, 1861, and in June or July 1862, Colonel Weer, of the Union army, "Invaded the Cherokee Nation," after which the rebel army did invade the Cherokee country.<sup>12</sup> (8) The idea of the plea of coercion was invented when such a plea was wanted to cover up their treachery; but no such plea was ever hinted at until Colonel Weer had invaded the nation. Up to that time Mr. Ross remained unmolested by the confederates, well pleased with their situation, and with the "best treaty we have ever had."

On the 7th page of General Pike's letter he says: "At the request of Mr. Ross, I wrote the Cherokee declaration of Independence." This declaration of independence and war, the vilest and most vituperative document in print, was adopted by the council and approved by Chief Ross, at the time the council advised and ratified the treaty with the Confederate States. (For that declaration see Appendix, No. 6).



At the time the treaty was signed and ratified, and this declaration was adopted, General Pike says his party consisted of only five persons, all the white confederates in the nation, and eight or nine companies of Drew's regiment, the friends of Ross and the council, were all who were present at the treaty ground or at its ratification—a rather poor show for *coercion*. Throughout the whole proceedings all seemed to be done freely and cheerfully, like persons doing what they wished to do.

On the same page 7 of General Pike's letter, he says: "Even in May, he (Ross) said to General McCulloch and myself that if northern troops invaded the Cherokee country, he would head the Cherokees and drive them back; 'I have borne arms,' he said, 'and though I am old, I can do it again.'" This extract fully proves the truth of the statement of J. B. Luce and General McCulloch, and disposes of the version given by Mr. Ross. Other parts of this letter I will mention hereafter.

On the 19th day of December, 1861, Mr. Ross made a speech to Drew's regiment at Fort Gibson, in which he said that the treaty was made with the confederacy to the entire satisfaction of all concerned in it. He used the following language: "It is the very best treaty we have ever made in many particulars, as it secures to us many advantages we have long sought." On the very day the treaty was signed, it was submitted to the national council, then in session, and was there read and deliberated on, article by article, and unanimously adopted and confirmed by both houses and it thus became a law." (See copy of the speech referred to, Appendix, No. 7).

I refer to this speech to show that Mr. Ross was still urging the Cherokees to adhere to their treaty with the confederacy. The "strange occurrence" which he refers to was the defection of a part of Drew's regiment from the confederate army and their fighting on the Union side with Opothleyoholo, at Bird's creek, which act he so much deplores; but he tells them they "must return" to duty in the confederate service and that it is to their interest to do so.

January 1, 1862, Mr. Ross wrote to General Pike, acknowledging receipt of amendments made by the rebel senate to the Cherokee treaty, and informing General Pike that the special session of the Cherokee council was called on the Monday following, for their consideration. (See letters, Appendix, No. 8).

(9) February 25, 1862, Mr. Ross wrote to General Pike that the amendments to the Cherokee treaty had been ratified, and informing the General that Drew's regiment, according to orders received, had promptly marched toward Fayetteville; says he accompanied them twelve miles; assures the General that the regiment will do its duty whenever the conflict with the *common enemy* shall take place; says he intended to accompany the troops to headquarters to render every aid in his power to repel the *enemy*; says the mass of the Cherokees are all right in sentiment for the support of their alliance with the southern confederacy. (See copy of letter, Appendix, No. 9.)

He, Mr. Ross, did not at that time think that either he or the Cherokee people were loyal to the United States. Drew's and Watie's regiments had gone to the battle then soon to transpire at Pea Ridge, and there was no other rebel force in the nation; if, as he now says, he was only watching for an opportunity to make his escape, and did escape from the nation at the first opportunity which offered, we are not shown, and I cannot see, anything to prevent him from leaving at the time he wrote the letter.

March 22, Mr. Ross wrote to General Pike (see copy of letter, No. 10), requesting that Drew's regiment might be stationed near the place of his (Ross') residence. In this letter Mr. Ross asserts the exposure of the northern and eastern borders of the Cherokee nation after the battle of Pea Ridge, and asserts, that the treasures and records of the nation are wholly unprotected and that, if even a few lawless men should combine for plunder or mischief, he would be in danger.

If, as he asserts, he was forced by the rebel army to sign the treaty, if he was all the time loyal, if he was only waiting for an opportunity to escape from the rebels to the Union lines, I think this would have been the right time to try it. When, as he asserts in this letter, there was so little rebel force in the nation that it could not keep *out* a few individuals seeking plunder or mischief, I hardly suppose it could keep *in* a man with many relations and friends and an armed regiment of his own raising, who wished to go out of the nation.

March 24, 1862, Ross to ----- (See Appendix, letter No. 11). This letter of Mr. Ross is no otherwise important than as it shows the persevering zeal of the writer in the rebel cause.

April 10, 1862, Mr. Ross writes to General Pike. (See copy of letter, Appendix, No. 12). In this letter he thanks General Pike for stationing Colonel Drew's regiment near Park Hill. He says great anxiety exists in view of the unprotected condition of the Cherokee country since the battle of Pea Ridge and the withdrawal of General Price's army, and also lest marauding parties of United States soldiers will overrun the country. This letter again shows how easily Mr. Ross might have escaped to the Union lines if he desired it, when no rebel force but his own friends of Drew's regiment was in the nation, the officers of which, it is claimed, were true Union men appointed by himself.

I will now recur to the letter of General Pike, so often referred to above. On page 4 of this letter General Pike says:

(10) "Meanwhile he (Mr. Ross) had persuaded Opothley-oholo, the Creek leader, not to join the southern States and had sent delegates to meet the northern and other Indians in council near the Antelope Hills, when they all agreed to be neutral. The object was to take advantage of the war between the States and form a great independent Indian confederation"—and that he saw the letter of Mr. Ross and published it in Texas. This letter, I never saw and cannot produce, but I fully believe the statement of General Pike. If the statement is true, and I believe it is, what a commentary it is on the pretended loyalty of Mr. Ross! To pretend and publish that he was loyal to the United States at that time, to draw it mildly, is pitiable effrontery.

Again, General Pike says, same letter, page 10 of original:

"In May, 1862, Lieutenant Colonel William P. Ross visited my camp at Fort McCulloch, near Red River, and said to me that 'the chief would be gratified if he were to receive the appointment of brigadier general in the confederate service!'" This, it will be recollected, was in May, 1862, when there was not, by Mr. Ross' own showing, a confederate soldier, except Drew's regiment, in the Cherokee Nation.<sup>13</sup>

Again, in the same letter, page 11 of the original, General Pike says:

"When Colonel Weer invaded the Cherokee country, Mr. Ross refused to have an interview with him, declaring that the



Cherokees would remain faithful to their engagements with the Confederate States.<sup>14</sup> There was not then a confederate soldier in the Cherokee Nation to overawe Mr. Ross or Major Pegg, or any other loyal Cherokee. Mr. Ross sent me a copy of his letter to Colonel Weer, and I had it printed and sent over Texas to show the people there that the Cherokee chief was loyal to the Confederate States." (See letter of T. J. Mackey, Appendix, No. 13).

It must be borne in mind that Colonel Weer invaded the Cherokee country the latter part of June, 1862. This refusal was after that date. Mr. Ross, at that time had not ascertained that he and the Cherokee Nation had been *coerced* in the preceding August. But a few days afterwards he saw it clearly. He first found it out when Drew's regiment abandoned the confederate service and enlisted in the Union army, as graphically described by General Pike in his letter on page 10:

"It was not customary with the confederate war department to exhibit any great wisdom, and in respect to the Indian country its conduct was disgraceful. Unpaid, unclothed, uncared for, unthanked even, services unrecognized; it was natural the Cherokees should abandon the confederate flag."

This last extract is the key to the loyalty of Mr. Ross and the Cherokee Nation. From the beginning of the war to the invasion by Colonel Weer of the nation, as far as I have been able to learn, not one loyal word had ever been written or spoken by any Cherokee, or by Mr. Ross; nor had one word of complaint ever been made by (11) either of coercion, although there was nothing to prevent such a complaint being made to the United States government at any time if such had been the fact. After the soldiers had been in the rebel service ten months, and remaining "unpaid, unclothed, uncared for, unthanked even, services unrecognized," they were easily convinced that they were loyal, and by a slight strain on a lively imagination they could see that they had been loyal to the United States from the first, and that they had been coerced into the rebel service, although nobody else even knew that any rebel soldier ever invaded their country or threatened it; but on the contrary, General McCulloch had promised them (and kept his promise) that they should not be invaded by the rebels unless to repel the United States army from their country.

As soon as Drew's regiment found that they would not be paid, clothed, or thanked, and that they had been loyal from the beginning, and that they had somehow been forced into the rebel army, the regiment *en masse* enlisted in the United States army and abandoned the rebel army. When Mr. Ross found himself abandoned by Drew's regiment, he also found that he had always been loyal and some excuse was necessary from him. None presented itself more potent than coercion. Colonel Weir sent a regiment after him and brought Mr. Ross to his headquarters. Since then he has professed loyalty to the United States government from the beginning, and claims that he only made the treaty with the Confederate States because he was forced—that he was forced to remain in the nation by the rebel army. And that as soon as he was emancipated by Colonel Weir, he flew to the Union lines, where his heart always was! With how much truth, or semblance of truth, he makes the claim, in these pages I have attempted to show, from his writings, speeches, conversations, documents, acts, conduct, and the letters of other persons who had means to know, and did know, the matters about which they wrote and spoke.

I do not know how these things may affect others, but to my mind they are conclusive that Mr. Ross, during the short time in which he kept up the pretense of neutrality in his letters, was, in his private conversation, giving assurance to the rebel leaders that he was a secessionist, and was in fact a secessionist. After the Union defeat at Wilson's Creek, when General Lyon lost his life, Mr. Ross thought the Union forever dissolved and secession an accomplished fact. He then made haste to join the rebellion and continued faithful until Drew's regiment abandoned him and Colonel Weir took him prisoner, or, as he says, escorted him out of the nation. This appears from his message to the national council, October 9, 1861, when the treaty was ratified. (See that paper, Appendix, A). Mr. Ross, in that special message to the general council of the Cherokee Nation, uses this language: Neutrality was proper and wise so long as there remained a reasonable probability that the difficulty between the two sections of the Union would be settled," &c., "but when there was no longer reason to believe that the union of States would be continued, there was no cause to hesitate as to the course the Cherokee Nation should pursue." "Our geographical position and domestic institutions (12) allied us to the

south." This message gives no proof of having been written by a man under coercion, but the spirit with which it is written shows that the heart and soul of the writer entered into the subject.

That he was ever loyal to the United States, I do not believe. His neutral position, which in his letters he maintained for about two months, was only just not disloyal, if taken and maintained in good faith. But even of that excuse his often-repeated verbal declarations only one month after the war commenced, and while in his letters he was pretending neutrality, entirely deprive him. They show that he was assuring the leading rebels that he was not neutral but actually acting as an active emissary of the confederacy. Now it is perfectly apparent that he was acting with duplicity and intended to deceive one or the other party, or both. In this he succeeded. This was before the battle of Pea Ridge. After that battle, both Mr. Ross and the Cherokee people thought and said and acted as interest, not loyalty to the United States, dictated.<sup>15</sup> For ten months they had kept two regiments in the field in the confederate service; so far they kept faith with the Confederate States. When Drew's regiment found they were not paid, clothed or cared for, they abandoned the confederate and joined the Union army, because it was their interest to do so, not because of their loyalty. They had fought for the rebels at Pea Ridge. If they had been paid, clothed and cared for, it is almost certain we never should have heard their clamor of loyalty and coercion.

Mr. Ross says himself that he raised Drew's regiment for the rebel army before the treaty, and while a Cherokee treaty was in full force with the United States. From that time to the invasion of the Cherokee Nation by the forces under Colonel Weir, every letter, every word every act of his, so far as we know or have heard or that he has been able to produce, shows that he was actively and zealously at work, promoting the success of the rebellion. His activity and zeal seem to have met with the approval of the confederate authorities. He seems to have deserved it from them. The Cherokees, two regiments strong, had fought in the battle of Pea Ridge. He says he would have been at headquarters, rendering all the assistance in his power against the common enemy, but for some bad



conduct of Watie's men. When he made that lucky escape from the thralldom of the rebel army, and got to the Union lines, all his zeal and activity seemed to have forsaken him. He left the nation, and did not return to it for three years, and, so far as I know, manifested no zeal or activity either in the Union cause he loved so well, or for the Cherokees, who so much needed his council, advice and assistance.<sup>16</sup> There has not been one fact brought to my notice, or of which I have heard, which, to my mind, has the slightest tendency to prove coercion by the rebel army, any threat, or anything to cause even the most timid to think there was any fear of it. If there was, why did he not inform the government of the United States of it?<sup>17</sup> When he thought there was danger of invasion by the Union army, he promptly informed the rebel government of it.

The commission at Fort Smith, in September last, seeing what they (13) did of his bad influence upon the Cherokees, and hearing and believing what we heard, that he was opposed to the treaty being signed; and hearing that he was tampering with the Creeks, and believing it, and being satisfied that he had been from the first a secessionist, and believing he still was; being satisfied that he had acted with duplicity, and in bad faith, and treacherously towards the government of the United States, and believing that he would continue so to act, being satisfied that he was opposed to entering into any treaty with the United States, and believing that he would continue opposed, although so desirable both to the Cherokee people and the government of the United States for their mutual peace and quiet, and so necessary for the best interests of the Cherokee people—the commission, I repeat, unanimously decided not to recognize John Ross as principal chief of the Cherokee Nation. In that decision I concurred. I was then and I am still, satisfied that the decision was necessary, right and proper and should be adhered to by the government.

For more than thirty years there have been two parties in the Cherokee Nation, known to the country as the Ross and Ridge parties. As the parties still, to some extent, remain the same, I may, in this report, continue so to distinguish them, though Ridge was assassinated by the Ross party in 1839. The formation of these parties was caused, as is believed, by discussions which led to and finally culminated in the treaty of 1835

between the United States and the Cherokee Nation. The Ridge party prevailed and made that treaty. The Ross party opposed it. After the removal of the Cherokees, under that treaty, to their present homes on the Arkansas, the dissatisfaction increased in bitterness and became a deadly feud. This feud with greater or less bitterness, still continued, sometimes irritated and sometimes partially modified by other questions, real or imaginary causes, but never forgiven.<sup>18</sup> Early in the late war, after the treaty made with the rebels, the Ridge party raised a regiment, commanded by General Watie, and joined the rebel army, went south, where they and their families generally remain, and continued in that service to the end of the war.<sup>19</sup> A little earlier in 1861 Colonel Drew, under the direction of Mr. Ross, raised a regiment in the Ross party, who also joined the rebel army, and continued in that service about ten months, when they deserted the rebel army and immediately joined the Union army, and continued to the end of the war. About the same time, from the Ross party was raised another regiment (making two regiments of the Ross party in the Union army), which also remained in the United States service to the end of the war. In June or July, when these two regiments were raised for the Union army, Watie's regiment, with the rebel army, was on the southwest bank of the Arkansas river, where they generally remained for about two years. In July and August, 1862, the Union Army, under Colonel Doubleday, and afterwards Colonel Weer, drove the Ridge party under Stand Watie, from the Cherokee Nation in confusion, capturing all their train and provisions. They abandoned their homes and property to the Ross party, who remained in possession of the nation. For two years marauding parties (14) of the rebel army, composed largely of Cherokees of the Ridge party, crossed the Arkansas river into the Cherokee country and plundered the Ross party until the latter were in as destitute a condition as the former. The depredations were reciprocal, and the black flag seemed to be the banner under which both parties fought. Under these circumstances, the old feud (which never died, but only slept or pretended to sleep short naps) was, of course, revived, and was, I suppose, from the evidence before me, intensified.

Separate delegations from each party are now in this city, called here for the purpose of making a treaty with the United States. They seem wholly unable to agree on any one material proposition.

The Ridge party requires the Cherokee Nation for the present to be divided into two bands, each to make its own laws and execute them, but to remain component parts of the Cherokee Nation, and when (if ever) a reconciliation takes place, to reunite by their own agreement, or be united by the government. That for the present the territory should be divided, so that the two parties shall each enjoy its own without molestation from the other. They consent to sell or set apart to the United States, for the purpose of settling on it the friendly Indians of Kansas, all of the Cherokee lands lying west of  $95^{\circ} 30'$  west longitude, and to sell to the United States the neutral land lying in Kansas for a sum of not less than \$500,000, with a liberal grant to the several proposed railroads running through the Cherokee country. This is the substance of their propositions.

The Ross party wholly refuse any division for any purpose, and require all who wish to form a part of the Cherokee Nation to come back in a limited time. They agree, like the Ridge party, to sell the neutral land in Kansas, but refuse to sell or set apart any of their lands lying east of the line of  $97^{\circ}$  west longitude, but they do agree that any of the friendly Indians who will become a part of the Cherokee Nation may settle on and occupy a part of their territory. They will make no grant to railroads, except the right of way over two hundred feet in width to each road, and require the north and south road to pass through Fort Gibson. They offer many other objectionable propositions, not *ultimata*; but the above are such.

Under the instructions given to the commissioners at Fort Smith for our guidance there, which are still in force for our guidance here, I was compelled to refuse these propositions of the Ross party as wholly inadmissible. They would confirm to the Cherokee people about 6,500,000 acres of land, making about 382 acres to every man, woman and child in the Cherokee Nation—an amount ten times larger than is convenient under their present circumstances and twenty times greater than will be advantageous or convenient when (if ever) they become per-



fectly civilized. To suffer this amount to lie useless in the hands of the Indians, who cannot use it, and really do not require it, and withhold it from civilization, which does require it, and can and will use it, is to my mind neither wise statesmanship nor good policy.

After several propositions had been made on both sides, and many meetings and conversations had with the Ross Party, under my (15) instructions I presented them with the substance, of what the treaty must contain, set forth in the following paper, (See paper, Appendix, B.)

The reservation therein referred to, east of 95° 30' west longitude, will amount to one hundred and seventy-seven (177) acres to each Cherokee and freed person, men, women and children included. This proposition they peremptorily refused. The account of what took place at this meeting was taken down at the time by a stenographer present for that purpose, and is believed to be correct. (See paper in Appendix, marked C.)

I think the offer of 320 acres to the Ross party much larger than their necessities demand. It is proposed to give them that portion of the country where they are now residing so that they will not be disturbed in their homes or property by the contemplated division.

It will be seen from the foregoing that the feeling existing between the Ross and Ridge parties is extremely bitter, and all attempts at reconciliation have heretofore proved unavailing. It was to meet this state of things that in the original instructions by the President to the commission about to start for Fort Smith last fall the following paragraph was inserted:

“Strife and dissension may, in some instances, have prevailed to such extent in a particular nation or tribe as to result in the formation of contending parties. If it is impracticable to reconcile them to each other and to re-establish their former harmonious relations as members of the same organization, you may recognize them as distinct communities. In that event you will authorize a division, on equitable terms, of its funds and annuities, and the settlement of each party on separate portions of their reservation, to be clearly marked by metes and bounds. Such parties will thereafter be treated as independent

tribes. You will, however, assure them of the anxious desire of the President that all past differences should be buried in oblivion, and that they should live together as brothers. Your consent to the arrangement above suggested will not be given until all efforts to restore harmony and union shall have proved utterly unavailing."

During the conferences at Fort Smith, at my suggestion a committee of five from each party met for the purpose of compromising and settling their differences, but was unable to accomplish any good result, the Ross party neither at Fort Smith or here having shown any disposition to adjust their differences with the Ridge party upon a basis of justice and equity.

After having made earnest and repeated efforts to harmonize these difficulties, and finding all such efforts fruitless, it has been apparent that the only course left for the commissioners under the above cited instructions was to provide for a just and equitable division of the lands and funds of the Cherokee people and to treat the two parties as "distinct communities." Those instructions must govern the action of this office, unless modified or withdrawn. They have not been modified or withdrawn.

Since the Cherokees have been in this city the Ross party have (16) issued three pamphlets, copies of which accompany this report, marked D, E and F.

The first one issued (D) is but a general history of the Cherokee difficulties, dangers and trials, and an attempt to prove that the Cherokees were loyal to the United States and *coerced* into the rebellion. Upon this question I have given my views in these pages.

The second pamphlet (E) is mostly a defense of John Ross, strongly insisting on his loyalty, zeal and ability in the Union cause. On his loyalty I have said all I wish to say, except this: that at Fort Smith, when the paper refusing any longer to recognize him as principal chief of the Cherokee Nation was under consideration, he asked the privilege of replying *instantly*, which was readily granted. He spoke nearly an hour, and showed his loyalty by proving his neutrality to the last of June; said he had always been loyal and then was, and then stopped. Leave was granted his nephew, William P. Ross, to

take time to prepare himself and reply for him. W. P. Ross, at the time appointed, appeared, and made a very creditable speech in favor of his uncle, John Ross; read a great number of letters asserting his neutrality, and proving it up to the last of June, 1861, about two months after the rebellion commenced; and then *he* stopped. Pamphlet E, under consideration, prepared under Mr. Ross's eye in this city, asserts his loyalty, as his own speech and the speech of W. P. Ross had done before, and refers to the same letters and papers referred to before by himself and W. P. Ross. I therefore am forced to the conclusion that all that can be said for his loyalty has been said; and all the evidence of loyalty is, that for two months he asserted his neutrality, and that in the first half of that time he had given General Pike and McCulloch full assurance that he would, in a short time, betray the United States and join the rebellion, and did do it.

The pamphlet marked F is but a document arguing the reasonableness of their offer and the unreasonableness of my demand in the paper marked B in the Appendix. I have already said what I had to say about the negotiation, unconscious that I have departed in any way from my instructions.

The Ridge party has published two pamphlets in answer to those published by the Ross party. Whatever else may be said of all these pamphlets, I do not think that there is any want of cayenne to season them. They all show a keen hostility, the one party against the other, and that neither has yet forgotten its ancient grudge, or forgiven it. (See pamphlets marked G and H.)

In the paper heretofore referred to, marked B, I have insisted on a separation, into two bands, of the Cherokees. I have for another purpose, in this report, mentioned the ancient feud of the Cherokees. That feud still exists, as shown by the pamphlets above set forth; and that it has always existed since it first arose there can be no doubt. At different periods of Cherokee history it has shown itself. Nearly every distinguished man of the Ridge party has been killed, and Ridge himself, twenty-eight years ago, fell by the assassin's knife, while many of lesser note on both sides, growing out of this (17) Ross and Ridge feud, have died with violence. The Ridge party joined the rebellion, and with their families went south, where they



mostly now are. The Ross party say they will forgive them, reinstate them in their homes and afford them protection to life, liberty and property, but they must come back and submit to their jurisdiction. The Ridge party say that their offense is against the United States, and not against the Cherokee Nation, which has no right to talk of forgiveness; they have no confidence in the promises of the Ross party, or any other they may make; they say they have trusted them before, and been deceived. That they are afraid of assassination and depredations on their liberty and property, but more afraid of judicial murders, robberies and deprivations of liberty, than from open assault; and say they never can and never will try to live with the Ross party until there is a decided change, of which they say they can as yet see no signs.

Which party is right, or the nearest right, or which is wrong or most wrong, I have no means of determining. That there is great ill-feeling is agreed by both parties; but they do not agree as to the extent of the hatred. Being myself in doubt, I applied to those who had been longest in the neighborhood, or had lived among them, and such as would be most likely to have a correct opinion as to the probability of the two parties harmonizing and living together in peace and security. I have directed letters to the following named gentlemen, and received their several answers, which will be found in the Appendix hereto.

Answer from Judge Harlan, Cherokee agent, marked I; answer from Judge Tebbetts, marked J; an answer from Charles H. Johnson, marked K; answer from R. T. Van Horn, member of Congress from Missouri, marked L; answer from General Blunt, marked M; answer from General D. H. Cooper, marked N; answer from J. B. Luce, marked O.

These are all the answers that I have received to my letter of inquiry; but these are enough. Every one of these gentlemen is well acquainted with the feuds in the Cherokee Nation; some of them from the time they removed from Georgia to the Arkansas River. All speak of those feuds as of the most deadly kind, and each and all express the opinion that the two parties never can live together in peace, and that they had better be separated for the quiet of the country. I have not yet found one person who dissented from this opinion, except the members of the Ross delegation; and against that opinion that they

*can* live to gether, I would offset the opinion of the Ridge delegation, equally or even more positive, that they cannot. I entertain no doubt but that it is the duty of the United States to insist upon their separation for the peace of the country, and for the welfare of the Indians themselves.

From the various considerations adduced, and documents referred to in this report, the following conclusions are obtained, viz:

That after protracted and diligent efforts, continuing about five months, to make some satisfactory arrangements with the delegates (18) representing the Cherokee national authorities, by which the government of the United States could expect to fulfil its guarantee to protect the nation from domestic strife, such efforts failed.

That there is no reasonable probability of the two parties being able to harmonize their difficulties and live together in peace.

That under the original instructions furnished by the Executive to the commissioners, there remained but one course to pursue, to wit, to make the best possible arrangements for the division of the people and partition of national property and funds.

That, by manifold proof, the Ross party, which refuses to take part in these necessary arrangements, has been so far identified with the late rebellion that they cannot, in common justice and fairness, appeal to the loyal hearts in the government of the United States to take their part to the exclusion of the rights of other parties of the same nation, who, like the Ross party, entered into close relations with the leaders of that rebellion.

Acting under special instructions of the Secretary of the Interior, who has been familiar with the whole course of the negotiations, "to settle and pay the necessary expenses incurred by the delegates representing the northern Cherokees in coming to this city and during their sojourn, and to advance enough to defray their expenses home, and to carry into effect the oral and written instructions of the President in relation to the southern Cherokees," I have, with Commissioners Sells and Parker, concluded and signed, on the 13th instant, articles of

agreement with the delegates of the southern Cherokees, providing for their separate existence and the division of the national property. This document is laid before you for your constitutional action. If it shall meet with your approval, and be ratified, and go into full effect, we may reasonably hope for a cessation of the long continued troubles of the Cherokee people.

Very respectfully, your obedient servant,  
D. N. COOLEY, *Commissioner.*

---

APPENDIX (19)

No. 1.

*GENERAL McCULLOCH'S LETTER TO JOHN ROSS*

*Headquarters McCulloch's Brigade,  
Fort Smith, Ark., June 12, 1861.*

Sir: Having been sent by my government (the Confederate States of America) to take command of the district embracing the Indian territory, and to guard it from invasion by the people of the north, I take the first opportunity of assuring you of the friendship of my government, and the desire that the Cherokees and other tribes in the territory unite their fortunes with the confederacy. I hope that you, as chief of the Cherokees, will meet me with the same feelings of friendship that actuate me in coming among you, and that I may have your hearty co-operation in our common cause against a people who are endeavoring to deprive us of our rights. It is not my desire to give offense or interfere with any of your rights or wishes, and shall not do so unless circumstances compel me. The neutral position you wish to maintain will not be violated without good cause. In the mean time those of your people who are in favor of joining the confederacy must be allowed to organize into military companies as home guards for the purpose of defending themselves in case of invasion from the north. This, of course, will be in accordance with the views you expressed to me, that, in case of an invasion from the north, you would lead your men yourself to repel it.



Should a body of men march into your territory from the north, or if I have an intimation that a body is in line of march for the territory from that quarter, I must assure you that I will at once advance into your country if I deem it advisable.

I have the honor to be, Sir, your obedient servant.

BEN. McCULLOCH,

Brigadier General, Commanding.

His Excellency JOHN ROSS,

*Chief of the Cherokee Nation.*

---

No. 2.

*JOHN ROSS'S REPLY TO THE ABOVE*

*Executive Department,  
Park Hill, C. N., June 17, 1861.*

*Sir:* I have the honor to acknowledge by the first return mail the receipt of your communication, dated Fort Smith, Ark., the 12th (20) instant, informing me that you have been sent by the government of the Confederate States of America to take command of the district embracing the Indian territory, and to guard it from invasion by the people of the north. For the expression of your friendship, be pleased to accept my heartfelt thanks, and the assurance that I cherish none other than a similar sentiment for yourself and people; am also gratified to be informed that you will not interfere with any of our rights and wishes, unless circumstances compel you to do so, nor violate or molest our neutrality without good cause. In regard to the pending conflict between the United States and the Confederate States, I have already signified my purpose to take no part in it whatever, and have admonished the Cherokee people to pursue the same course. The determination to adopt that course was the result of considerations of law and policy; and seeing no reasons to doubt its propriety, I shall adhere to it in good faith, and hope that the Cherokee people will not fail to follow my example. I have not been able to see any reason why the Cherokee Nation should take any other course, for it seems to me to be dictated by their treaties, and sanctioned by wisdom and humanity; it ought not to give ground for complaint to either side, and should cause our rights to be respected by

both. Our country and institutions are our own. However small the one or humble the other, they are as sacred and valuable to us as are those of your own populous and wealthy State to yourself and your people. We have done nothing to bring about the conflict in which you are engaged with your own people, and I am unwilling that my people shall become its victims. I am determined to do no act that shall furnish any pretext to either of the contending parties to overrun our country and destroy our rights. If we are destined to be overwhelmed, it shall not be through any agency of mine. The United States are pledged not to disturb us in our rights, nor can we for a moment suppose that your government will do it, as the avowed principles upon which it is struggling for an acknowledged existence are the rights of the states and the freedom from outside interference. The Cherokee people and government have given every assurance in their power of their sympathy and friendship for the people of Arkansas and other Confederate States, unless it be in voluntarily assuming an attitude of hostility toward the government of the United States, with whom their treaties exist, and from whom they are not experiencing any new burdens or exactions. That I cannot advise them to do, and hope that their good faith in adhering to the requirements of their treaties, and of their friendship for all the whites, will be manifested by strict observances of the neutrality enjoined. Your demand, that those people of the nation who are in favor of joining the confederacy be allowed to organize into military companies as home guards for the purpose of defending themselves in case of an invasion from the north, is most respectfully declined. I cannot give my consent to any such organization for very obvious reasons: 1st. it would be a palpable violation of my position as a neutral; 2nd, it would place in our midst organized companies not authorized by our laws, but in violation of treaty, and who would soon become efficient instruments in stirring up domestic strife, and creating internal (21) difficulties among the Cherokee people. As in this connection you have misapprehended a remark made in conversation at our interview some eight or ten days ago, I hope you will allow me to repeat what I did say: I informed you that I had taken a neutral position, and would maintain it honestly; but the case of a foreign invasion, old as I am, I would assist in repelling it. I have not signified any purpose as to an in-

vasion of our soil and an interference with our rights from the United or Confederate States, because I have apprehended none, and cannot give my consent to any.

I have the honor to be, sir, your obedient servant,

JOHN ROSS,

*Principal Chief Cherokee Nation.*

Brig. Gen. BEN McCULLOCH,

*Com'g Troops of Confederate States, Fort Smith, Ark.*

---

No. 3.

*JOHN ROSS'S LETTER TO OPOTHLEYOHOLO,*

*CREEK CHIEF, September, 1861.*

*Park Hill, Cherokee Nation, September 19, 1861.*

*Friends and Brothers:* I have received a few lines from you, written on the back of a hasty note which I had written to the chiefs and headmen of your nation, and from which the following is an extract:

"Brothers: I am gratified to inform you that the Great Being who overrules all things for good has sustained me in my efforts to unite the hearts and sentiments of the Cherokee people as one man; and at a mass meeting of about four thousand males, at Tahlequah, with one voice we have proclaimed in favor of forming an alliance with the Confederate States, and shall thereby preserve and maintain the brotherhood of Indian nations in a common destiny."

Brothers, if it is your wish to know whether I had written the above note or, not, I will tell you that I did, and in order that you may be fully informed of the whole proceedings of the Cherokee people at the mass meeting stated, and of the reasons which influenced the people to adopt them, I send you herewith several printed copies of my address to the people in convention and of the resolutions adopted by them on that occasion, I wish you to have them carefully read and correctly interpreted, in order that you may fully understand them.



Brothers, my advice and desire, under the present extraordinary crises, is for all the red brethern to be united among themselves in support of our common rights and interests by forming an alliance of peace and friendship with the Confederate States of America.

Your Friend and brother,

JOHN ROSS,

*Principal Chief of the Cherokee Nation.*

*To OPOTHLEYOHOLLO and others of the  
Chiefs and Headmen of the Creek Nation.*

---

(22) No. 4.

JOHN ROSS TO OPOTHLEYOHOLLO, October 8, 1861.

*Tahlequah, Cherokee Nation, October 8, 1861,*

*Friends and Brothers:* Some short time since I received a few lines from you, written on the back of a note of mine to the chiefs and headmen of the Creek nation, informing them that the Cherokee people had resolved in favor of forming an alliance of peace and friendship with the southern confederacy, and you wished to know if I had written that note. I replied that I had; at the same time I sent you a printed copy of my address to a mass meeting of about 4,000 of the Cherokee people; also of their resolutions on that occasion, authorizing a treaty of alliance with the Confederate States. I furthermore informed you that my advice to all red brothers was to be united and friendly among themselves. I have not heard from you since.

Brothers, I am grieved to hear so many bad reports which have been circulated throughout the land; many of them are no doubt false and without foundation, and which, if not corrected and silenced, might lead to trouble and bloodshed. They should by all means be checked if possible.

Motey Kennard, as chief of your nation, has appealed to me for the mediation of your Cherokee brethren, for the purpose of reconciling difficulties alleged to exist among your people in consequence of the late treaty entered into with General Pike.

I have promptly consented to do all in my power to restore peace among my brethren; and in order to enable me to act efficiently as a true and faithful brother, I have obtained from General Pike letters of safeguard for the protection of yourself and friends in coming to this place and returning home in safety, under the penalty of death for violating them. I have therefore appointed my friend and associate chief, Hon. Jos. Vann, to head a delegation on a mission of peace and to make you a friendly visit; to hold a free and brotherly talk with you, face to face, that you may fully understand the true position of your Cherokee brethren, and especially to invite you and your personal friends to come and visit your Cherokee brethren now assembled in national council at this place, where we may all smoke the pipe of peace and friendship around our great council fire kindled at Tahlequah eighteen years ago, and that all misunderstanding among the family of our red brethren may forever be buried in oblivion.<sup>20</sup>

Your friend and brother, Hon. Jos. Vann, who is the bearer of important papers to you, will explain more fully the objects of his mission.<sup>21</sup>

I sincerely hope that you will not fail to come with him, to shake the hands of brotherly friendship with your Cherokee brethren.

Your friend and brother,

JOHN ROSS

*Principal Chief Cherokee Nation.*

TO OPOTHLEYOHOLO AN OTHERS.

---

(23) No. 5.

*ALBERT PIKE TO THE COMMISSIONER OF INDIAN  
AFFAIRS*

*Memphis, Tennessee, February 17, 1866.*

*Sir:* I have received, today, a copy of the "memorial" of the "Southern Cherokees," to the President, Senate and House of Representatives, in reply to the memorial of other Cherokees, claiming to be "loyal."

It is not for me to take any part in the controversy between the two portions of the Cherokee people, nor have I any interest that could lead me to side with one in preference to the other; nor am I much inclined, having none of the rights of a citizen, to offer to testify in any matter, when my testimony may not be deemed worthy of credit, as that of one not yet restored to respectability and credibility by a pardon.

But as I know it to be contemptible as well as false for Mr. John Ross and the "loyal" memorialists to pretend that they did not voluntarily engage themselves by treaty stipulations to the Confederate States and, as you have desired my testimony, I have this to say and I think no man will be bold enough to deny any part of it.

In May, 1861, I was requested by Mr. Toombs, secretary of state of the Confederate States, to visit the Indian country as commissioner, and assure the Indians of the friendship of those States. The convention of the State of Arkansas, anxious to avoid hostilities with the Cherokees, also applied to me to act as such commissioner. I accordingly proceeded to Fort Smith, where some five or six Cherokees called upon General McCulloch and myself, representing those of the Cherokees who sympathized with the south, in order to ascertain whether the Confederate States would protect them against Mr. Ross and the Pin Indians, if they should organize and take up arms for the south. We learned that some attempts to raise a secession flag in the Cherokee country on the Arkansas had been frustrated by the menace of violence; and those who came to meet us represented the Pin organization to be a secret society, established by Evan Jones, a missionary, and at the service of Mr. John Ross, for the purpose of abolitionizing the Cherokees and putting out of the way all who sympathized with the southern State.<sup>22</sup>

The truth was, as I afterwards learned with certainty, the secret organization in question, whose members for a time used as a mark of their membership a *pin* in the front of the hunting-shirt, was really established for the purpose of depriving the half-breeds of all political power, though Mr. Ross, himself a Scotchman, and a McDonald both by the father and the mother, was shrewd enough to use it for his own ends. At any rate, it was organized and in *full* operation long before secession was thought of.



General McCulloch and myself assured those who met us at Fort Smith that they should be protected, and agreed to meet at an early day, then fixed, at Park Hill, where Mr. Ross resided. Upon that I sent a messenger west with letters to five or six prominent members (24) of the anti-Ross party, inviting them to meet me at the Creek agency two days after the day on which General McCulloch and I were to meet at Park Hill.

I did not expect to effect any arrangement with Mr. Ross, and my intention was to treat with the heads of the southern party—Stand Watie and others.

When we met Mr. Ross at Park Hill, he refused to enter into any arrangement with the Confederate States. He said it was his intention to maintain the neutrality of his people; that they were a small and weak people, and would be ruined and destroyed if they engaged in the war that it would be a cruel thing if we were to engage them in our quarrel. But he said that all his interests and all his feelings were with us, and he knew that his people must share the fate and fortunes of Arkansas. We told him that the Cherokees could not be neutral. We used every argument in our power to change his determination, but in vain, and, finally, General McCulloch informed him that he would respect the neutrality of the Cherokees, and would not enter their country with troops, or place troops in it, unless it should become necessary in order to expel a federal force, or to protect the southern Cherokees.

So we separated. General McCulloch kept his word, and no confederate troops ever were stationed in, or marched into, the Cherokee country, until after the federal troops invaded it.

Before leaving the nation I addressed Mr. Ross a letter, which I afterwards printed and circulated among the Cherokee people. In it I informed him that the Confederate States would remain content with his pledge of neutrality, although he would find it impossible to maintain that neutrality that I should not again offer to treat with the Cherokees; and that the Confederate States would not consider themselves bound by my proposition to pay the Cherokees for the neutral land if they should lose it in consequence of the war. I had no further communication with Mr. Ross until September. Meanwhile he had persuaded Opothleyoholo, the Creek leader, not to join the southern States, and had sent delegates to meet the northern and

other Indians in council near the Antelope Hills, where they all agreed to be neutral. The purpose was to take advantage of the war between the States, and form a great independent Indian confederation. I defeated all that by treating with the Creeks at the very time that their delegates were at the Antelope Hills in council.

When I had treated with them and with the Choctaws and Chickasaws, at the North Fork of the Canadian, I went to the Seminole agency and treated with the Seminoles. Thence I then went to the Wichita agency, having previously invited the Reserve Indians to return there, and invited the prairie Comanches to meet me. After treating with these, I returned by Fort Arbuckle, and before reaching there met a nephew of Mr. Ross and a Captain Fields, on the prairie, bearing a letter to me from Mr. Ross and his council, with a copy of the resolutions of the council and an invitation, in pressing terms, to repair to the Cherokee country and enter into a treaty.

I consented, fixed a day for meeting the Cherokees, and wrote Mr. (25) Ross to that effect, requesting him also to send messengers to the Osages, Quapaws, Shawnees, Senecas, &c., and invite them to meet me at the same time. He did so, and at the time fixed I went to Park Hill, and there effected the treaties.

When I first entered the Indian country, in May, I had as an escort one company of mounted men. I went in advance of them to Park Hill. General McCulloch went there without an escort. At the Creek agency I sent the company back; I then remained without escort or guard until I had made the Seminole treaty; camping with my little party and displaying the confederate flag. When I went to the Wichita country I took an escort of Creeks and Seminoles; these I discharged at Fort Arbuckle, on my return, and went, accompanied by four young men, through the Creek country to Fort Gibson, refusing an escort of Creeks offered me on the way.

From Fort Gibson eight or nine companies of Colonel Drew's regiment of Cherokees, chiefly full-bloods and Pins, escorted me to Park Hill. This regiment was raised by order of the national council, and its officers appointed by John Ross; his nephew, William P. Ross, secretary of the nation, being

lieutenant colonel and Thomas Pegg, president of the national committee, being its major.

I encamped with my little party near the residence of the chief, unprotected even by a guard, and with the confederate flag flying. The terms of the treaty were fully discussed, and the Cherokee authorities dealt with me on equal terms.<sup>23</sup> Mr. John Ross had met me as I was on my way to Park Hill escorted by the national regiment, and had welcomed me to the Cherokee Nation in an earnest and enthusiastic speech, and seemed to me throughout to be acting in perfect good faith. I acted in the same way with him.

After the treaties were signed I presented Colonel Drew's regiment a flag, and the chief in a speech exhorted them to be true to it, and afterwards, at his request, I wrote the Cherokee declaration of independence, which is printed in the memorial of the southern Cherokees. I no more doubted then that Mr. Ross's whole heart was with the south than that mine was. Even in May he said to General McCulloch and myself that if northern troops invaded the Cherokee country, he would head the Cherokees and drive them back. "I have borne arms," he said, "and though I am old I can do it again."

At the time of the treaty there were about nine hundred Cherokees of Colonel Drew's regiment encamped near and fed by me, and Colonel Watie, who had almost abandoned the idea of raising a regiment, had a small body of men, not more, I think, than eighty or ninety, at Tahlequah. When the flag was presented Colonel Watie was present, and after the ceremony the chief shook hands with him and expressed his warm desire for union and harmony in the nation.

The gentlemen whom I had invited to meet me in June at the Creek agency did not do so. They were afraid of being murdered, they said, if they openly sided with the south. In October they censured me for treating with Mr. Ross, and were in an ill humor, saying the regiment was raised in order to be used to oppress them.

(26) The same day the Cherokee treaty was signed, the Osages, Quapaws, Shawnees and Senecas signed treaties, and the next day they had a talk with Mr. Ross at his residence and smoked the great pipe and renewed their alliance, being urged by him to be true to the Confederate States.



I protest that I believed Mr. John Ross at this time, and for long after, to be as sincerely devoted to the confederacy as I myself was. He was frank, cheerful, earnest, and evidently believed that the independence of the Confederate States was an accomplished fact. I should dishonor him if I believed that he then dreamed of abandoning the confederacy, or turning the arms of the Cherokees against us in case of a reverse.

Before I left the Cherokee country, part of the Creeks under Hopoi-ilthli-Yahola left their homes under arms, and threatened hostilities. Mr. Ross, at my request, invited the old chief to meet him, and urged him to unite with the Confederate States. Colonel Drew's regiment was ordered into the Creek country, and afterwards, on the eve of the action at Bird Creek, abandoned Colonel Cooper, rather than fight against their neighbors. But after the action the regiment was again reorganized. The men were eager to fight, they said, against the Yankees, but did not wish to fight their own brethren, the Creeks.

When General Curtis entered northwestern Arkansas in February, 1862, I sent orders from Fort Smith to Colonel Drew to move toward Evansville and receive orders from General McCulloch. Colonel Watie's regiment was already under General McCulloch's command. Colonel Drew's moved in advance of Colonel Watie with great alacrity and showed no want of zeal at Pea Ridge.

I do not know that any one was scalped at that place, or in that action, except from information. None of my officers knew it at the time. I heard of it afterwards. I cannot say to which regiment those belonged who did it, but it has been publicly charged on some of the same men who afterwards abandoned the confederate cause, and, enlisting in the federal service, were sent into Arkansas to ravage it.

After the actions at Pea Ridge and Elkhorn, the regiment of Colonel Drew was moved to the mouth of the Illinois, where I was able, after a time, to pay them \$25 each, the commutation for six months' clothing, in confederate money. Nothing more, owing to the wretched management of the Confederate government, was ever paid them; the clothing procured for them was plundered by the commands of General Price and

Van Dorn. The consequence was that when Colonel Weir entered the Cherokee country, the Pin Indians joined him en masse.

I had procured at Richmond, and paid Mr. Lewis Ross, treasurer of the Cherokee Nation, about the 4th of March, 1862, in the chief's house and in the chief's presence, the moneys agreed to be paid them by treaty, being about \$70,000 (I think) in coin, and among other sums, \$150,000 in confederate treasury notes loaned the nation by way of advance on the price expected to be paid for the neutral (27) land. This sum had been promised in the treaty at the earnest solicitation of Mr. John Ross, and it was generally understood that it was desired for the special purpose of redeeming scrip of the nation issued long before, and much of which was held by Mr. Ross and his relatives. That such was the case I do not know. I only know that the moneys were paid, and that I have receipts for them, which, with others, I shall file in the Indian office.

In May, 1862, Lieut. Colonel William P. Ross visited my camp at Fort McCulloch, near Red River, and said to me that the "chief" would be gratified if he were to receive the appointment of brigadier general in the confederate service. I did not ask him if he was authorized by the chief to say so, but I did ask him if he were sure that the appointment would gratify him, and being so assured I promised to urge the appointment. I did so more than once, but never received a reply. It was not customary with the confederate war department to exhibit any great wisdom, and in respect to the Indian country its conduct was disgraceful. Unpaid, unclothed, uncared for, unthanked even, and their services unrecognized, it was natural the Cherokees should abandon the confederate flag.

When Colonel Weir invaded the Cherokee country, Mr. Ross refused to have an interview with him, declaring that the Cherokees would remain faithful to their engagements with the Confederate States. There was not then a confederate soldier in the Cherokee Nation to overawe Mr. Ross or Major Pegg, or any other "loyal" Cherokee. Mr. Ross sent me a copy of his letter to Colonel Weir, and I had it printed and sent over Texas, to show the people there that the Cherokee chief was "loyal" to the Confederate States. Afterwards, when Stand Watie's regiment and the Choctaws were sent over the Arkansas

into the Cherokee country, and Mr. Ross considered his life in danger from his own people, in consequence of their ancient feud, he allowed himself to be taken prisoner by the Federal troops. At the time, I believed that if white troops had been sent to Park Hill, who would have protected him against Watie's men, he would have remained at home and adhered to the confederacy. For either he was true to his obligations to the Confederate States, voluntarily entered into—true at heart and in his inmost soul—or else he is falser and more treacherous than I can believe him to be.

The simple truth is, Mr. Commissioner, that the "loyal" Cherokees hated Stand Watie and the half-breeds, and were hated by them. They were perfectly willing to kill and scalp Yankees; and when they were hired to change sides, and twenty-two hundred of them were organized into regiments in the federal service, they were just as ready to kill and scalp when employed against us in Arkansas. We did not pay and clothe them and the United States did. They scalped for those who paid, fed and clothed them. As to loyalty, they had none at all.<sup>24</sup>

I entered the Indian country in May, and left it in October. For five months I travelled and encamped in it, unprotected by white troops, alone with but four young men, treating with different tribes. If there had been any "loyalty" among the Indians, I could not have gone (28) a mile in safety. Ho-poi-ith-thli-Yahola was not "loyal."<sup>25</sup> He feared the McIntoshes, who had raised troops, and who he thought meant to kill him for killing their father long years before. He told me that he did not wish to fight against the southern States, but only that the Indians should all act together. If Mr. Ross had treated with us first, all the Creeks would have done the same. If Stand Watie and his party took one side, John Ross and his party were sure in the end to take the other, especially when that other proved itself the stronger.

So far from the Watie party overawing the party which upheld Mr. Ross, I know it to be true that they were afraid to actively co-operate with Confederate States, to organize, to raise secession flags, or even to meet me and consult with me. They feared that Colonel Drew's regiment would be used to harass them, and they never dreamed of forcing the authorities into a treaty.



After the actions at Elkhorn, murders were continually complained of by Colonels Watie and Drew, and the chief solicited me to place a part of Colonel Drew's regiment at or near Park Hill, to protect the government and its records. I did so. There never was a time when the "loyal" Cherokees had not the power to destroy the southern ones.

As to myself, I dealt fairly and openly with all the Indians. I used no threats of force or compulsion with any of them. The "loyal" Cherokees joined us because they believed we should succeed, and left us when they thought we should not. At their request I wrote their declaration of independence and acceptance of the issues of war; and if any men voluntarily, and with their eyes open, and of their own motion, acceded to the secession movement, it was John Ross and the people whom he controlled.

I am, sir, very respectfully, your obedient servant,

ALBERT PIKE,

*D. N. Cooley, Esq., Commissioner of Indian Affairs.*

---

No. 6.

*DECLARATION BY THE PEOPLE OF THE CHEROKEE  
NATION OF THE CAUSES WHICH HAVE IMPELLED  
THEM TO UNITE THEIR FORTUNES WITH THOSE  
OF THE CONFEDERATE STATES OF AMERICA*

When circumstances beyond their control compel one people to sever the ties which have long existed between them and another state or confederacy, and to contract new alliances and establish new relations for the security of their rights and liberties, it is fit that they should publicly declare the reasons by which their action is justified.

The Cherokee people had its origin in the south; its institutions are similar to those of the southern States, and its interests identical with theirs.

Long since it accepted the protection of the United States of (29) America, contracted with them treaties of alliance and friendship, and allowed themselves to be, to a great extent, governed by their laws.

In peace and in war they have been faithful to their engagements with the United States. With much of hardships and injustice to complain of, they resorted to no other means than solicitation and argument to obtain redress. Loyal and obedient to the laws and the stipulations of their treaties, they served under the flag of the United States, shared the common dangers, and were entitled to a share in the common glory, to gain which their blood was freely shed on the field of battle.

When the dissensions between the southern and northern States culminated in a separation State after State from the Union, they watched the progress of events with anxiety and consternation. While their institutions and the contiguity of their territory to the State of Arkansas, Texas and Missouri made the cause of the seceded States necessarily their own cause, their treaties had been made with the United States, and they felt the utmost reluctance even in appearance to violate their engagements, or set at naught the obligations of good faith.

Conscious that they were a people few in numbers compared with either of the contending parties, and that their country might with no considerable force be easily overrun and devastated and desolation and ruin be the result if they took up arms for either side, their authorities determined that no other course was consistent with the dictates of prudence, or could secure the safety of their people and immunity from the horrors of a war waged by an invading army, than a strict neutrality, and in this decision they were sustained by a majority of the nation.

That policy was accordingly adopted and faithfully adhered to.

Early in the month of June of the present year the authorities of the nation declined to enter into negotiation for an alliance with the Confederate States, and protested against the occupation of the Cherokee country by their troops, or any other violation of their neutrality. No act was allowed that could be construed by the United States to be a violation of the faith of the treaties.

But Providence rules the destinies of nations, and events, by inexorable necessity, overrule human resolutions. The number of the Confederate States has increased to eleven, and their government is firmly established and consolidated. Maintaining

in the field an army of two hundred thousand men, the war became for them but a succession of victories. Disclaiming any intention to invade the northern States, they sought only to repel invaders from their own soil and to secure the right of governing themselves. They claimed only the privilege, asserted by the declaration of American Independence, and on which the right of the northern states themselves to self-government is founded, of altering their form of government when it became no longer tolerable, and establishing new forms, for the security of their liberties.

Throughout the Confederate States we saw this great revolution (30) effected without violence, or suspension of the laws, or closing of the courts.

The military power was nowhere placed above the civil authorities. None were seized and imprisoned at the mandate of arbitrary power; all divisions among the people disappeared, and the determination became unanimous that there should never again be any union with the northern states. Almost as one man, all who were able to bear arms rushed to the defense of an invaded country; and nowhere has it been found necessary to compel men to serve, or to enlist mercenaries by the offer of extraordinary bounties.

But in the northern States the Cherokee people saw with alarm a violated Constitution, all civil liberty put in peril, and all the rules of civilized warfare and the dictates of common humanity and decency disregarded. In States which still adhered to the Union a military despotism had displaced the civil power, and the laws became silent amid arms.

Free speech and almost free thought became a crime. The right to the writ of habeas corpus, guaranteed by the Constitution, disappeared at the nod of the Secretary of State or a general of the lowest grade. The mandate of the Chief Justice of the Supreme Court was set at naught by the military power, and this outrage on common right approved by a President sworn to support the Constitution. War on the largest scale was waged, and immense bodies of troops called into the field, in the absence of any law warranting it, under the pretense of suppressing unlawful combinations of men. The humanities of war which even barbarians respect were no longer thought



worthy to be observed; foreign mercenaries and the scum of cities and the inmates of prisons were enlisted and organized into regiments and brigades, and sent into southern States to aid in subjugating a people struggling for freedom, to burn, to plunder, and to commit the basest of outrages on women.

While the heels of armed tyranny trod upon the necks of Maryland and Missouri, and men of the highest character and position were incarcerated, upon suspicion and without process of law, in jails, in forts and in prison-ships, and even women were imprisoned by the arbitrary order of a President and cabinet ministers; while the press ceased to be free, the publication of newspapers was suspended and their issues seized and destroyed; the officers and men taken prisoners in battle were allowed to remain in captivity by the refusal of their government to consent to an exchange of prisoners; as they had left their dead upon more than one field of battle that had witnessed their defeat, to be buried, and their wounded to be cared for, by southern hands.

Whatever causes the Cherokee people may have had in the past to complain of some of the southern States, they cannot but feel that their interests and their destiny are inseparably connected with those of the south. The war now raging is a war of northern cupidity and fanaticism against the institution of African servitude, against the commercial freedom of the south, and against the political freedom of the States; and its objects are to annihilate the sovereignty of those States, and utterly change the nature of the general government.

(31) The Cherokee people and their neighbors were warned before the war commenced that the first object of the party which now holds the powers of government of the United States would be to annul the the institution of slavery in the whole Indian country and make it what they term free territory, and after a time a free state. And they have been also warned by the fate which has befallen those of their race in Kansas, Nebraska and Oregon, that at no distant day they too would be compelled to surrender their country at the demand of northern rapacity and be content with an extinct nationality, and with reserves of limited extent for individuals, of which their people would soon be despoiled by speculators, if not plundered unscrupulously by the State.

Urged by these considerations, the Cherokees, long divided in opinion, became unanimous; and, like their brethren, the Creeks, Seminoles, Choctaws, and Chickasaws, determined by the undivided voice of a general convention of all the people, held at Tahlequah, on the 21st day of August in the present year, to make a common cause with the south and share its fortunes.

In now carrying this resolution into effect, and consummating a treaty of alliance and friendship with the Confederate States of America, the Cherokee people declares that it has been faithful and loyal to its engagements with the United States, until, by placing its safety and even its national existence in imminent peril, those States have released them from those engagements. Menaced by a great danger, they exercise the inalienable right of self-defense, and declare themselves a free people, independent of the northern States of America, and at war with them by their own act. Obeying the dictates of prudence, and providing for the general safety and welfare, confident of the rectitude of their intentions, and true to the obligations of duty and honor, they accept the issue thus forced upon them, unite their fortunes now and forever with those of the Confederate States, and take up arms for the common cause; and with entire confidence in the justice of that cause and a firm reliance upon Divine Providence, will resolutely abide the consequences.

Tahlequah, C. N., October 28, 1861.

THOMAS PEGG,

*President of National Committee.*

*Josh. Ross, Clerk of National Committee.*

*Concurred*

LACY MOUSE,

*Speaker of Council.*

*Thomas B. Wolf, Clerk of Council.*

*Approved*

JOHN ROSS.

---

No. 7

*JOHN ROSS' SPEECH TO DREW'S REGIMENT,  
DECEMBER 19, 1861*

(The address of John Ross, principal chief of the Cherokee Nation, delivered at Fort Gibson, to John Drew's regiment, on

the occasion of the defection of the regiment, on the eve of a battle (32) with Opoth-ye-hola, the leader of the non-conforming Creeks, 19th December, 1862 (1861), written out the day following by himself and believed to be exactly correct—Hercules Martin, Interpreter.)

*Fellow citizens, Soldiers and Friends:* I appear before you this evening for the purpose of making a few remarks, previous to introducing your friend, Colonel Cooper, the commander of the Confederate forces in the Indian country, who intends to address you.

A few nights ago I had occasion to address some of you on a very strange and extraordinary occasion, and now that you are nearly all present, I will necessarily have to repeat much that I then said. I then told you of the difficulty caused in the nation by the disruption of the United States, and the action taken by our neighboring States and tribes in joining the southern confederacy, which had left us alone, and of other matters of equal interest, that made it necessary for us to call a convention of the Cherokee people.

This convention was held and numerous attended by the people, so that the acts of the convention were really the acts of the whole people. At that convention it was agreed on that all the distinctions of color should cease amongst the Cherokees forever, and that the half-blood Cherokee should have equal rights and privileges with the full-blood Cherokee, and the full-blood have the same rights and privileges as their white-skinned brethren and that the whole were to be a united people. It was also agreed on, that, for the interests of the nation, our relations with the United States should cease, or be changed, for the reasons I have stated, and a treaty be made with the south. For this purpose I was then authorized to enter into negotiations with the commissioner of the southern confederacy, with the view of making such a treaty. At the same time and for this purpose there were men, in whom we had unbounded confidence, selected to negotiate and enter into a treaty with the south.

Immediately after the convention I dispatched a messenger to the distinguished commissioner for the Confederate States, who was then in the neighborhood of Fort \* \* \*, and informed him of our readiness to enter into a treaty. In the mean time,



although there was no treaty made, it was deemed expedient to raise a Cherokee regiment for our own preservation, and for the purpose of repelling invasion and guarding our own border, and in any emergency of this kind to act in concert with the troops of the southern confederacy.

This regiment was accordingly raised and organized at this place. On the arrival of the commissioner at this place, the regiment welcomed him, and formed his escort to his headquarters at Park Hill, where the treaty was made. The treaty was made to the entire satisfaction of all who were concerned in it. It is the very best treaty we have ever made in many particulars, as it secures to us advantages we have long sought, and gives us the rights of freemen to dispose of our lands as we please. On the very day the treaty was signed it was submitted to the national council, then in session, and was then read and deliberated on, article by article, and unanimously adopted and confirmed by both houses, and thus it became a law. By negotiating this alliance with the Confederate States, we are (33) under obligation to aid the south against all its enemies, so that the enemies of the south are our enemies. \* \* \*

Under these circumstances, the commissioner deemed it expedient to accept of this regiment into the service at once. This was only delayed by the absence of the officer who was authorized to muster them into the service, the late Colonel McIntosh, C. S. A., he having gone to duty under General McCulloch;<sup>26</sup> but on learning this, Colonel Cooper sent another officer, who mustered them into the service, where the regiment has been since then, until the recent very strange, unaccountable blunder and confusion when it acted as it did, when it was brought against Opoth-ye-hola's people a few days ago, which conduct has been examined into today and settled so advantageously by Colonel Cooper, the commander of the forces on this frontier, feeling assured that it was evidently caused by misconception of matters as they really exist, or a mistake or misunderstanding of what Opoth-ye-hola really is. When we concluded to enter into (a treaty) negotiations with the Confederate States, by request of the commissioner, I sent a messenger to the Osages and Senecas, requesting them to meet the commissioner at Park Hill, and they very promptly responded. I also dispatched a messenger to Opoth-le-hola for the same purpose, and advised him to submit

to the treaty made with the Creeks, and to be advised by Colonel Cooper, who was his friend, and had used his utmost exertions to bring about peaceful relations with the parties in the Creek Nation. Opoth-le-hola replied that he was at peace with the south, with Colonel Cooper and the Cherokees and desired to remain so. He was willing also to submit to all proper treaties, but that a party in his own nation was against him and his people, who would not allow him to be at peace.

On this I used every possible means to settle disputes between the parties and to bring about a peace, and hoped to succeed. The very last messenger Opoth-le-hola sent to me, one of his chiefs, \* \* \* asked for my advice and intervention. I then sent a letter by the same messenger to Colonel Cooper, expressive of my views, and sent back word to Opoth-le-hola to come alone into the Cherokee country, where he would be protected, and to disperse his people and send them to their homes, and by no means to fight. But, instead of doing this, he comes into the Cherokee country with a large armed force, and wantonly destroys the stock and other property of our citizens; by this means, without cause, invading our soil and proving our enemy. He, by his subtlety, seeks to inveigle the Cherokees into his quarrel, as he still tells them he was their friend, but proving by his duplicity that he is not, as shown by his acts, for, while pretending peace, he was preparing for war, and has been deceiving us all the time, and no doubt has his agents amongst you, deluding you into the belief that it was only a party feud, and that he was oppressed, while he was acting for the north all the time. The very last messenger sent to him by Colonel Drew was at his own request, yet with the full authority of Colonel Cooper, and Colonel D. N. McIntosh was charged with offers of peace, and this was from the (34) leader of the very party he complained of, yet the messenger was intercepted and prevented from seeing Opoth-le-hola by some of his chiefs or officers who were already stripped and painted for war.

It was this state of things that produced the strange blunder of this occasion and caused the separation of the regiment. Our treaty with the south is a good one, and, as I have said, is the best one we have ever made, securing many advantages we did not before possess; it is therefore our duty and interest to respect it, and we must, as the interest of our common country

demands it. According to the stipulations of our treaty we must fight the enemies of our allies, whenever the south requires it, as they are our enemies as well as the enemies of the south; and I feel that no such occurrence as the one we deplore would have taken place if all things were understood as I have endeavored to explain them. Indeed, the true meaning of our treaty is that we must know no line in the presence of our invader, be he who he may. We must not let the invader carry the war into our land, but meet him before he reaches our lines and repel him. If, unfortunately, the invader should cross our lines, we must expel him by force, with the aid of our allies, and pursue him into his country, as this is the intent of our treaty. For, although we are more specially to be the guards of our own border, and are not required to go a long distance from home to fight the battles of the south, yet we are not restricted to a line when there is an enemy in view, but must repel him, pursue and destroy him. I hope you now understand it, and that everything will go on well, as it should. I have no more to say, and will now introduce Colonel Cooper, the commander of the confederate forces in the Indian country.

The Cherokees gave their customary token of approval, when they were addressed by Colonel Cooper to the same effect as John Ross. They were then addressed in the Cherokee language by Major T. Pegg, at some length, but this was not interpreted. Many of the regiment left for their homes that night, not approving the treaty and its requirements.

The foregoing is almost verbatim, and contains at least the substance of all the chief said.

W. L. G. MILLER.

---

No. 8

*JOHN ROSS TO ALBERT PIKE JANUARY 1, 1862*

Park Hill, Cherokee Nation, January 1, 1862.

*Sir:* Thinking that you may have arrived at Fort Gibson by this time, I beg leave to inform you that your communication, with the amendments to the Cherokee treaty, has been received. The national council has been convened for Monday



next, in extra session, for the purpose of taking into consideration those amendments. If convenient (35) to visit us on that occasion, it will afford me great pleasure to welcome you as a guest at my house.

I have the honor to be, very respectfully and truly, your obedient servant,

JOHN ROSS,  
*Principal Chief Cherokee Nation.*  
*Brigadier General A. Pike, C. S. A.*

Original on file in this office.

D. N. COOLEY,  
*Commissioner of Indian Affairs.*

---

No. 9

JOHN ROSS TO GENERAL PIKE, FEBRUARY 25, 1862  
*Executive Department*  
*Park Hill, February 25, 1862*

Sir: I have deemed it my duty to address you on the present occasion. You have doubtless ere this received my communication, enclosing the action of the national council with regard to the final ratification of our treaty. Colonel Drew's regiment promptly took up the line of march, on the receipt of your order from Fort Smith, towards Fayetteville. I accompanied the troops some twelve miles east of this, and I am happy to assure you in the most confident manner that, in my opinion, this regiment will not fail to do their whole duty, whenever the conflict with the common enemy shall take place. There are so many conflicting reports as to your whereabouts, and consequently much interest is felt by the people to know where the headquarters of your military operations will be established during the present emergencies. I had intended going up to see the troops of our regiment; also to visit the headquarters of the army at Cane Hill, in view of affording every aid in any manner within the reach of my power to repel the enemy. But I am sorry to say I have been dissuaded from going at present, in consequence of some unwarrantable conduct on the part of many base, reckless and unprincipled persons belonging to Watie's regiment, who are under no subordination or restraint of their

leaders, in domineering over and trampling upon the rights of peaceable and unoffending citizens. I have at all times in the most unequivocal manner assured the people that you will not only promptly discountenance, but will take steps to put a stop to such proceedings, for the protection of their persons and property, and to redress their wrongs. This is not the time for crimination and recrimination; at a proper time I have certain specific complaints to report for your investigation. Pardon me for again reiterating, that the mass of the people are all right in sentiment for the support of the (36) treaty of alliance with the Confederate States. I shall be happy to hear from you.

I have the honor to be your obedient servant,

JOHN ROSS,

*Principal Chief of Cherokee Nation.*

*Brigadier General A. Pike,*

*Commanding Indian Department.*

Original on file in this office.

D. N. COOLEY,

*Commissioner of Indian Affairs.*

---

No. 10.

JOHN ROSS TO GENERAL PIKE, MARCH 22, 1862

*Executive Department.*

*Park Hill, C. N., March 22. 1862.*

*Sir:* I respectfully beg leave to invite your attention to the exposed condition of the northern and almost the entire eastern border of the Cherokee Nation. Since the battles of the 7th and 8th instant in Benton county, Ark., there is no force to withstand the invasion of the federal army if it should meet their policy to move either in force or by detached parties into the Cherokee country. This state of affairs naturally begets apprehension and anxiety in the minds of the people, and which, fanned by false reports that are in constant circulation, may degenerate into a panic. The funds of the nation and all its public records are wholly unprotected and at the mercy not only of federal reconnoitering parties, but of even a few lawless individuals, if they should combine under such favorable circumstances for plunder and mischief. My object in addressing you this

note is, therefore, in a most respectful manner to request that Colonel Drew's regiment, or a portion of it, be stationed in this immediate vicinity to afford whatever protection may be in their power to the public property of the nation, and to be used as scouts for the benefit of the army and the citizens of the nation in keeping up reliable information as to the movement of the United States forces. I have no reliable information as to the proximity of any federal troops, although reports are circulating to that effect. I have just returned from Tahlequah, and could not learn certainly that any have been at Cincinnati on the line. Rev. Young Ewing, who came down last evening from the vicinity of Evansville, where he had been for a day or two, heard that the federal army was about the battle-ground and its vicinity, and that Missourians in larger or smaller numbers were coming down the line to join General Price's army. Should any information be received by me before tomorrow morning entitled to credit, I (37) will forward it by officers of the regiment, who will be proceeding to Webber's Falls in the morning.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN ROSS,

*Principal Chief Cherokee Nation.*

*Brigadier General A. Pike,*

*Commanding Indian Department.*

Original on file in this office.

D. N. COOLEY,

*Commissioner of Indian Affairs.*

---

No. 11.

JOHN ROSS TO ————— MARCH 21, 1862.

*Executive Department,*

*Park Hill, C. N., March 21, 1869.*

*Sir:* I am in receipt of your favor of the 23rd inst. I have no doubt that forage can be procured for Colonel Drew's men in this vicinity by hauling it from the farms of the surrounding districts. The subject of a delegate in congress shall be attended to as soon as arrangements can be made for holding an election. I am happy to learn that Colonel Drew has been authorized to furlough a portion of the men in his regiment to raise corn. I shall endeavor to be correctly informed of the



movement of the enemy and to advise you of the same, and I shall be gratified to receive any important information that you may have to communicate at all times.

I am, very respectfully and truly, yours, etc.,

JOHN ROSS,

*Principal Chief Cherokee Nation.*

Original on file in this office.

D. N. C.

*Commissioner of Indian Affairs.*

No. 12.

*JOHN ROSS TO GENERAL PIKE, APRIL 10, 1862.*

*Executive Department,*

*Park Hill, C. N., April 10, 1862.*

Sir: I beg to thank you for your kind response to my letter of the 22nd ultimo, and your order stationing Colonel Drew's regiment in this vicinity. Though much reduced by furloughs, in number, it will be useful for the particular purposes for which it was ordered here. The unprotected condition of the country, however, is a source of general anxiety among the people, who feel that they are liable to be overrun at any time by small parties from the United States army, (38) which remains in the vicinity of the late battle-ground. This is more particularly the case since the removal of the confederate forces under your command and those under Major General Price. Without distrusting the wisdom that has prompted these movements, or the manifestation of any desire on my part to inquire into their policy, it will be, nevertheless, a source of satisfaction to be able to assure the people of the country that protection will not be withheld from them, and that they will not be left to their own feeble defense. Your response is respectfully requested.

I have the honor to be, sir, with high regard, your obedient servant,

JOHN ROSS,

*Principal Chief Cherokee Nation.*

*Brigadier General A. Pike,*

*Commanding Indian Department,*

*Headquarters Choctaw Nation.*

Original on file in this office.

D. N. C.

*Commissioner of Indian Affairs.*

No. 13.

*LETTER OF T. J. MACKEY, JUNE 4, 1866.*

*Washington, D. C., June 4, 1866.*

*Sir:* In compliance with your request, I have the honor to submit the following statement in regard to the alliance between the Cherokee Nation and the late Confederate States.

In May, 1861, the Cherokee Nation issued a declaration of neutrality in view of the war then begun between the United States and the Confederate States. That declaration was concurred in by the confederate authorities, and it was respected by General McCulloch, who commanded an army of about eight thousand (8,000) confederates on the eastern border of the Cherokee country. This neutrality was maintained until the battle of Wilson's Creek, in which the forces of the United States were defeated, on the 9th day of August, 1861. Soon after that battle, John Ross, the principal chief of the Cherokees, announced to General Pike, the commissioner empowered by the Confederate States to treat with the several Indian nations, that the Cherokees were ready to renounce their neutrality and enter into an alliance, offensive and defensive, with the Confederate States. A treaty was effected on this basis. The Confederate States bound themselves to pay the sum of two hundred and fifty thousand dollars (\$250,000) to the Cherokees on the ratification of the treaty; to continue the annuities they had formerly received from the United States, and to indemnify them for all losses that might accrue to them in consequence of their abrogating their treaties with the United States. The Cherokees, through their chief, John Ross, bound themselves to furnish all their able-bodied men to the Confederate States for service against the United States; and it was stipulated that the (39) Cherokee forces should not be required to march out of their own territory without their special consent. Pursuant to that treaty a force of Cherokees was organized under the direction of John Ross. A portion of this force, consisting of Cherokees of the old Ross or Pin party, was in the battle of Pea Ridge or Elkhorn, where they killed and scalped the wounded of the federal army. This fact was made the subject of correspondence between Major General Curtis, of the United States army, and General Pike.<sup>27</sup> That battle was fought in March, 1862.

In July of 1862, Colonel Weer, of the United States army, commanding a force on the northern border of the Cherokee country, sent a communication to Ross, proposing that the Cherokees should annul their treaty with the Confederate States and form an alliance with the United States; Colonel Weer invited his attention to the fact that the confederate authorities had violated their treaty with the Cherokees by withdrawing all their forces from the Cherokee country. He offered John Ross and such chiefs as he might designate a safe-conduct through his lines to Washington and return. This proposition was declined peremptorily by Ross, who declared that the Cherokees disdained an alliance with a people who had authorized and practiced the most monstrous barbarities in violation of the laws of war;<sup>28</sup> that the Cherokees were bound to the Confederate States by the faith of treaties and by a community of sentiment and interest; that they were born upon the soil of the south and would stand or fall with the States of the South. This reply, with an explanatory letter, was sent to General Pike by Ross, in charge of Ross's son. I was chief engineer of the Indian department at the time and read them. General Pike was then encamped at Fort McCulloch, in the Chickasaw Nation.

About three months after Ross penned this reply to Colonel Weer, he went over to the United States, with a little over half of the Cherokees, embracing the greater portion of the full-bloods.

I am, sir, very respectfully, your obedient servant,  
T. J. MACKEY,

HON. D. N. COOLEY,  
*Commissioner of Indian Affairs, Washington, D. C.*

---

A

*Message of the Principal Chief of the Cherokee Nation to the National Committee and Council in National Council Convened.*

*Friends and Fellow Citizens:* Since the last meeting of the national council, events have occurred that will occupy a prominent place in the history of the world. The United States have dissolved and two governments now exist. Twelve of



the States composing the late Union have erected themselves into a government under the style of the Confederate States of America, and, as you know, are now engaged in a war for their independence. The contest (40) thus far has been attended with success, almost uninterrupted, on their side, and marked by brilliant victories. Of its final result there seems to be no ground for a reasonable doubt. The unanimity and devotion of the people of the Confederate States must sooner or later secure their success over all opposition, and result in the establishment of their independence and a recognition of it by the other nations of the earth. At the beginning of the conflict, I felt that the interests of the Cherokee people would be best maintained by remaining quiet and not involving themselves in it prematurely. Our relations had long existed with the United States government, and bound us to observe amity and peace alike with all the States. Neutrality was proper and wise so long as there remained a reasonable probability that the difficulty between the two sections of the Union would be settled, as a different course would have placed all our rights in jeopardy and might have led to the sacrifice of the people. But when there was no longer any reason to believe that the Union of the States would be continued, there was no cause to hesitate as to the course the Cherokee Nation should pursue. Our geographical position and domestic institutions allied us to the south, while the developments daily made in our vicinity as to the purposes of the war waged against the Confederate States clearly pointed out the path of interest. These considerations produced an unanimity of sentiment among the people as to the policy to be adopted by the Cherokee Nation, which was clearly expressed in their general meeting held at Tahlequah on the 21st day of August last. A copy of the proceedings of that meeting is submitted for your information. In accordance with the declarations embodied in the resolutions then adopted, the executive council deemed it proper to exercise the authority conferred upon them by the people there assembled. Messengers were dispatched to General Albert Pike, the distinguished Indian commissioner of the Confederate States, who, having negotiated treaties with the neighboring Indian nations, was then establishing relations between his government and the Comanches and other Indians in the southwest, who bore a copy of the proceedings of the meeting referred to, and a letter from the

executive authorities, proposing on behalf of the nation to enter into a treaty of alliance, defensive and offensive, with the Confederate States. In the exercise of the same general authority, and to be ready, as far as practicable, to meet any emergency that might spring up on our northern border, it was thought proper to raise a regiment of mounted men, and tender its services to General McCulloch. The people responded with alacrity to the call, and it is believed that the regiment will be found as efficient as any other like number of men. It is now in the service of the Confederate States for the purpose of aiding in defending their homes and the common rights of the Indian nations about us. This regiment is composed of ten full companies, with two reserve companies, and, in addition to the force previously authorized to be raised to operate outside of the nation by General McCulloch, will show that the Cherokee people are ready to do all in their power in defense of the confederate cause, which has now become their own.

(41) And it is to be hoped that our people will spare no means to sustain them, but contribute liberally to supply any want of comfortable clothing for the approaching season. In years long since past, our ancestors met undaunted those who would invade their mountain homes beyond the Mississippi; let not their descendants of the present day be found unworthy of them; or unable to stand by the chivalrous men of the south by whose side they may be called to fight in self-defense. The Cherokee people do not desire to be involved in war, but self-preservation fully justified them in the course they have adopted, and they will be recreant to themselves if they should not sustain it to the utmost of their humble abilities.

A treaty with the Confederate States has been entered into and is now submitted for your ratification. In view of the circumstances by which we are surrounded, and the provisions of the treaty, it will be found the most important ever negotiated on behalf of the Cherokee Nation, and will mark a new era in its history. Without attempting a recapitulation of all its provisions, some of its distinguishing features may be briefly enumerated. The relations of the Cherokee Nation are changed from the United to the Confederate States, with guarantees of protection, and a recognition in future negotiations only of its constitutional authorities. The metes and boundaries as

defined by the patent from the United States are continued, and a guaranty is given for the neutral land, or a fair consideration in case it should be lost by war or negotiation, and an advance thereon to pay the national debt, and to meet other contingencies. The payment of all our annuities and the security of our investments are provided for. The jurisdiction of the Cherokee courts over all members of the nation, whether by birth, marriage or adoption, is recognized.

Our title to our lands is placed beyond dispute. Our relations with the Confederate States is that of a ward; theirs to us that of a protectorate with powers restricted. The district court, with a limited civil and criminal jurisdiction, is admitted into the country instead of being located in Van Buren, as was the United States court. This is perhaps one of the most important provisions of the treaty, and secures to our citizens the great constitutional right of trial by a jury of their vicinage, and releases them from the petty abuses and vexations of the old system before a foreign jury and in a foreign country. It gives us a delegate in Congress on the same footing as the delegates from the Territories, by which our interests can be represented—a right which has long been withheld from the nation, and which has imposed upon it large expense and great injustice. It also contains reasonable stipulation in regard to the appointment and powers of the agent, and in regard to licensed traders. The Cherokee Nation may be called upon to furnish troops for the defense of the Indian country, but is never to be taxed for the support of any war in which the States may be engaged.

The Cherokee people stand upon new ground. Let us hope that the clouds which overspread the land will be dispersed, and that we shall prosper as we have never done before. New avenues of usefulness (42) and distinction will be opened to the ingenuous youth of the country. Our rights of self-government will be more fully recognized, and our citizens will be no longer dragged off upon flimsy pretexts to be imprisoned and tried before distant tribunals. No just cause exists for domestic difficulties. Let them be buried with the past, and only mutual friendship and harmony be cherished.

Our relations with the neighboring tribes are of the most friendly character. Let us see that the white path which leads



from our country to theirs be obstructed by no act of ours, and that it be open to all those with whom we may be brought into intercourse.

Amid the excitement of the times it is to be hoped that the interests of education will not be allowed to suffer, and that no interruption be brought into the usual operations of the government. Let all its officers continue to discharge their appropriate duties. As the services of some of your members may be required elsewhere, and all unnecessary expense should be avoided, I respectfully recommend that the business of the sessions be promptly discharged.

JNO. ROSS,

*Executive Department, Tahlequah, C. N., Oct. 9, 1861.*

---

B

*Statement of the Commissioner to the Northern Cherokees as to what Points the Government Would Insist upon.*

1st. A provision that the Cherokees (northern) have a country north of the Arkansas, and in the eastern part of the "Cherokee country," east of Grand river, below Ross's ford, and so far west above that line, extending to the north line of the Indian country as is equal to 320 acres for each Cherokee man, woman and child, and 80 acres for each person of color, formerly a slave of any Cherokee, who remain in said country.

2nd. Such Cherokees as may, on account of former feuds and such difficulties as now exists in the nation, and who now live in the Canadian district or west of the Grand river, and east of 95° 30' west longitude, and such as may go into that district within one year to reside, shall have for his and their use 160 acres of land for each Cherokee and 80 acres for each freedman, formerly slave of such Cherokee. They shall have their pro rata share of school funds, equal rights in the benefits of academies and seminaries and -- dollars out of the avails of the sale of territory to the United States, and their equitable proportion of the funds of the nation; and while they remain in such separate territory, the Cherokee national authorities shall have no jurisdiction over them; but so far as their dealings with the United States are concerned, they shall be considered a

part of the Cherokee Nation; and in case the two portions of the Cherokees shall hereafter so determine, they shall be reunited.

3rd. A census of the Cherokees in the nation, and of those outside (43) in the districts above named, shall be taken within a year, under direction of the agent.

4th. The improvements of those in the districts above named belonging to such Cherokees as may within one year desire to return to the Cherokee country east of Grand river and north of the Arkansas, shall be paid for by those who remove into the first-named districts.

5th. The laws of the Cherokees providing for the confiscation of property to be void, and their improvements to be restored to such as decide to return to their homes.

6th. A general amnesty for all offenses growing out of the late rebellion.

7th. The United States to purchase the neutral lands at a fair price.

8th. Texas and North Carolina Cherokees to have the same rights as other Cherokees, if they remove and live with them upon their reservations.

9th. Consent to be given to a territorial government on the principle of Senate Bill 459, 38th Congress.

10th. The freedmen to be dealt with as liberally as in the case of the Choctaws and Chickasaws.

11th. Right of way to be given for railroads in either direction.

12th. Sale to the United States of lands lying west of 95° 30' west longitude.

## C

*Conference between Hon. D. N. Cooley, Commissioner of Indian Affairs, and Northern Cherokees May 5, 1866,  
(Mr. Ewing, Attorney for the Northern Cherokees,  
Mr. Voorhees, Attorney for the Southern  
Cherokees.)*

*Mr. Cooley.* We do not want your land offer unless you give us some east of 97° with it.

*Mr. Ewing:* That subject was so thoroughly discussed at our last meeting that it is unnecessary to spend time on it now.

*Captain Bangs [Benge]:* Our intentions have been understood.

*Mr. Cooley:* Then I understand you will not go east of 97°. Have you any further proposition to make in relation to the southern Cherokees? Have you thought about settling another district?

(The delegation here submitted a letter purporting to show that most of the southern refugees had returned to their homes.)

*Mr. Voorhees:* Read it. (It was read.) Suppose the delegation could be convinced that there are not 200 back in the country, what would they do?

*Mr. Ewing, (waiving the question.):* We want to make a treaty now, or go home. We have been here a long time without accomplishing the object for which we came.

*Mr. Cooley:* I have no idea that so many have returned.

*Mr. Voorhees:* They went to the Canadian district, a great many of them, to raise a crop for this year.

*Mr. Cooley:* The only object of the department is to make them (44) self-sustaining and peaceable. That many have taken the oath and gone to their old homes we have no positive evidence.

Mr. D. H. Ross reads letter from H. D. Reese, which says the refugees are going to the Canadian districts.

*Mr. Cooley:* I believe that. The military were ordered to protect them there.



*Mr. Voorhees:* If these men were going home to live we would not spend our time here trying to get a separation.

*Mr. Ewing,* (reads interrupting.): "General Watie wants to break up the Cherokee Nation."

*Mr. Voorhees:* We could bring bushels of letters, but we do not want to make personal attacks.

*Mr. Cooley:* I am for business.

*Mr. Ewing:* We expected a proposition from you.

*Mr. Cooley:* What of a proposition to settle them between the Verdigris and the Arkansas, or the Little Verdigris and the Arkansas, west of  $95\frac{1}{2}^{\circ}$ ?

*Mr. Ewing:* I think they will agree to settle them west of the Little Verdigris.

*Mr. Cooley:* That takes the river and timber off.

*Mr. Ewing:* No, not altogether.

*Mr. Cooley:* There is land enough east of Grand river for Cherokees. We are making a treaty with Delawares and other Kansas Indians, and they want to get together. I do not think your proposition opens up any inducements to Kansas Indians.

*Mr. Ewing:* These men after several months of deliberation, have decided to cede no lands east of  $97^{\circ}$ , nor to allow any other tribes with them unless they consent to live under their laws.

*Captain Benge:* We don't want two governments for a small tribe of Indians. I think they ought to yield some.

*Mr. Cooley:* They come here merely asking for what they want. They make no demands. If you cannot agree, we must put a government there. I am in favor of your project in regard to the Kansas Indians, but none of these bands appear willing to assent.

*Mr. Voorhees:* The point upon which we are most solicitous is this one of jurisdiction. If they are to hold the sway and domineering power over us, we have no guarantee the by-gone scenes of bloodshed will not be re-enacted.

*Mr. Ewing:* If these people are settled fifty or sixty miles away it will stop that.

*Mr. Voorhees:* Will you let us make our own laws?

*Mr. Ewing:* No.

*Col. Phillips:* Colonel Adair said yesterday "they were not whipped;" and I believe the spirit of disloyalty lingers in them yet as bad as ever.

(After a debate on that remark, amounting to nothing)—

*Mr. Voorhees:* We don't want to destroy the unity of the nation. Give us our council, courts, laws, local judges, etc., and let the government deal with us as one people, in proportion to numbers, and if after a time our people are willing to coalesce, we will be glad of it.

*Mr. Cooley:* Is there any probability of this delegation adopting such a plan?

(45) *Mr. Ewing:* No, not a bit.

*Mr. Voorhees:* What, except the mere love of power, could induce you to want to exercise such jurisdiction over us as that.

*Mr. Cooley:* The Choctaws and Chicksaws are living peacefully under their treaty.

*Mr. Ewing:* They are of different blood.

*Mr. Voorhees:* I have talked with many prominent men, who know the state of affairs in that country, and not one of them believes the southern Cherokees will go back to their old homes and live. I say with the utmost sincerity there is not one but would be perfectly satisfied to go to their homes if they believed they would be fairly dealt with.

*Col. Phillips:* They were one nation before.

*Mr. Cooley:* The proposition to protect these men in their rights is proper. They are willing to yield some of their rights. They make no demands. If there is the danger the other delegates say, that they will do some night as their fathers did, I should be very sorry.

*Mr. Voorhees:* The government cannot extend protection where there is a disposition among Indians to injure.

*Mr. Ewing:* That gives the Cherokees a character I do not think they deserve. They lived in absolute peace from 1846 to 1861.

*Mr. Voorhees:* I don't want to harrow up these things, except to show that they really did happen. Judge Tibbetts said murders were common.

Mr. Jones then related the list of murders in detail, and the causes, from 1846 to 1861, as near as the delegation could remember.

*Mr. Voorhees:* Did not a feud break up the schools and churches before the war?

*Mr. Ewing:* Yes.

*Mr. Voorhees:* Disloyalty is a misnomer. We present a plan, by which there can be no possibility of a renewal of troubles. Let us have a place apart, live separate, and be governed separately, but come here and treat together as the Cherokee Nation.

*Mr. Ewing:* White rebels would like such a plan.

*Mr. Voorhees:* These people are not, like the people of the south, getting their homes back and being protected in them. They would be glad to get such treatment.

*Mr. Ewing:* You ask a separation on account of your disloyalty.

*Mr. Voorhees:* That is a misfortune and not a merit. Why do you still persist in wanting to dictate our laws to us when you will live far away from us, and will not know what laws are peculiarly adapted to us?

*Mr. Jones:* The reason why we hold that point so tenaciously is because we feel we have a responsibility there. We have this interest at heart.

*Mr. Cooley:* What about the money provision in article 7?

*Mr. Ewing:* The Secretary suggested about \$100. He don't want much inducement offered.



*Mr. Cooley:* I should not much like such a plan. I did not know that was the Secretary's feeling in the matter.

(46) *Mr. Jones:* I think only a few will go west. The rest will settle at their old homes.

*Mr. Cooley:* I don't think any Cherokee should be driven west of 98°.

*Captain Benge:* We won't divide.

*Mr. Cooley:* Unless you make a more liberal proposition I will recommend another.

*Captain Benge:* We will not do it; we cannot; we will not make any further concessions.

*Mr. Cooley:* Do you wish those words recorded,

*Mr. Ewing:* No, don't put them down.

*Mr. Cooley:* In regard to the cession of land, if you will not cede any east of the Arkansas it is useless to argue the point further.

*Mr. Ewing:* I don't think the delegation could be got to cede any land east of the Arkansas; but if we can get these Kansas Indians to move down there under such an arrangement as we have named, it would suit all.

*Mr. Cooley:* The next meeting I will have a proposition as a *sine qua non*. I have none now. (Reads letter from General Blunt in relation to Cherokees.) General Blunt says it is impracticable, on account of a bitter feud, to have them live together under the same jurisdiction. Thinks they will not live together.

*Mr. Cooley:* It seems to be the desire to put railroads in that country. All other treaties provide certain interest in the lands to the railroad companies, and I think it would be better for the Cherokees.

*Mr. Ewing:* They don't want to do it. They are afraid the railroad companies will sell the land to white men.

*Mr. Cooley:* All other treaties have provision in them that none but Indians shall be allowed to purchase the land.

*Mr. Jones:* The Secretary said in regard to the railroad question: "You might do it, but I don't advise you to give them any land."

*Mr. Cooley:* Do you think your people would give the southern Cherokees a separate district and allow them local jurisdiction,

*Mr. Ewing:* The law allows them a district judge; that is all we will guarantee. As an evidence of the death feuds prior to the war. Mr. Stand Watie was president of council, Colonel Adair was a member of the upper house, and other prominent men in them were in various positions of honor under the Cherokee government.

*Mr. Cooley:* We do not recognize Standwatie as chief of the Cherokees; we recognize him as chief of a council. These Southern Cherokees say they are afraid to go back. Their demands are not unreasonable, except as to breaking up the government. Why not give them a district to suit them, and let them have their own local magistrates.

*Colonel Phillips:* It is not so much separating the country as separating the government.

*Mr. Jones:* We would much rather take in Indians and not sell land.

(47) *Mr. Cooley:* I shall probably be able on Tuesday to say what the government will ask.

Adjourned until Tuesday, May 8.

---

I

*Letters From Judge Harlan, Cherokee Agent, To Commissioner Of Indian Affairs*

*Washington, D. C., March 28, 1866.*

Sir: Yours of this date received. I have the honor to answer:

The number of the Cherokee people, according to the most reliable data within my reach, is about 17,000.

This is, however, but an estimate, never having been able to obtain a census of even that part of the nation which remained in the nation after the rebellion. In the issue of provisions and clothing to that portion which remained, I kept a register of those receiving aid. I issued food and clothing only to old men, women and children. These amounted to about 9,000. When the army was disbanded nearly 1,500 soldiers were mustered out of the service, which, together with the women, children and old men, make 10,500. Of the Watie party which went south, I have still less upon which to form an opinion. That party had left the nation before I got there. But from what I learn from many sources—and I have made much inquiry—I suppose the Watie party to number about 6,500.

This party, at present, is scattered over a large tract of country between Red river and the Arkansas.

That part of the Cherokee country lying southwest of the Arkansas river, and between Forts Smith and Gibson, at the breaking out of the rebellion, was partially settled. Exposed sometimes to one side and then to the other, neither party could occupy it. Both abandoned it. Some went south, and the balance crossed the Arkansas river to the northeast. Into that part thus abandoned I am told the Watie party are now returning, in what numbers I cannot certainly say; from what I learn, I judge not in very great numbers—to the first day of January last under one hundred. I suppose there are more now. The number returned to the northeast side of the Arkansas to the same date was about one hundred. That number has been increased since, but the extent I have no reliable information—I think not very largely.

You ask me my opinion of the probability of the Watie and Ross party being reconciled and living together in peace.

At Fort Smith, last fall, I conversed freely with both parties. From the spirit manifested by both, I did not then think they could; I still remain of the same opinion. Their feud dates back forty years; it grew more fierce at the treaty of 1835; still more fierce in 1839, when so many were assassinated of the Ridge party. This great slaughter weakened the Ridge party, but it did not make the friends of those slaughtered



love the slayers. They do not now, and never (48) will. A slight cause, real or imaginary, and the fires of the ancient feud will blaze forth as fiercely as it ever did. An attempt is now being made to show that the feud is forgotten or forgiven. I hope it is so, but in the three years I have lived in the nation I have received no evidence which has led me to hope that if they reunite the bloody scenes of 1839 will not be re-enacted. They had not made friends to the outbreak of the rebellion. Nothing has, of course, transpired since to mollify the hate that so long existed. Those who know the Indian character best are the most confident that peace between the parties is impossible. I may be wrong, but that is my opinion. This was the opinion of both parties last fall at Fort Smith. The Watie party then thought they would not be secure if they returned. At that time, and to this time, as far as I know, the Ross party were determined that a considerable portion of the Watie party should not be secure if they did return; and so far as I know, the determination still exists. The Ross party now say they can live in peace—I hope they can; it is only my hope, not my belief. If the Cherokees agree to do so, I see no reason why the United States government should object. The Indians are the only parties particularly interested.

I will make one further observation; both parties of the Cherokee Nation are now here represented. I see nothing in their conduct here towards each other tending to convince me that the old feud is not just as fresh and violent as it ever has been, or ever can be.

With great respect, your obedient servant,

J. HARLAN, *U. S. Indian Agent.*

ELIJAH SELLS,

*Sup't of Indian Affairs, Southern Superintendency.*

---

J

*Letter From Hon. J. J. Tebbetts To Commissioner Of Indian Affairs*

*Washington, D. C., March 30, 1866*

*Sir:* I am in receipt of your communication of this date, in which you request me to furnish your office with any information I may possess in relation to the condition of the

Cherokees, both northern and southern, especially as regards the probability of their reuniting and living together as one people, together with any views and suggestions which may be of service to the government in arranging the difficulties between them.

I have no means at the present time of estimating the number of northern and southern Cherokees; but I am of the opinion that the estimate of Superintendent Sells will be found to approximate the true number. The great body of the southern Cherokees are now homeless on Red river; some, pressed by hunger, are hanging on the border of the Cherokee territory, to receive the rations distributed by the government at Fort Gibson, and awaiting the action of the government (49) here; others, very few in number, have returned to their old homes.

I have been residing since 1839 in Arkansas, immediately on the frontier. My opportunity for learning their condition and party relations has been good. I have long been impressed with the idea that the policy of the government towards this people, in one respect especially, has been a most signal failure—a policy, however well intended, which has wholly failed to secure to them the most important guarantees of the treaty of 1835; a policy which has resulted in feuds and broils, rapine and murder, and, if continued, will result in the extermination of one or the other of the hostile factions.

It is a great mistake to suppose that these dissensions are of a recent date; they go back to the treaty of 1835, and are as irradicable as the traditions of that haughty race. By the treaty of 1817, a portion of this great tribe emigrated west of the Mississippi, and settled on territory now embraced within the limits of the State of Arkansas. By the treaty of 1828, those remaining behind, in the State of Georgia, were guaranteed the quiet and undisturbed possession of that country forever. But the restless and aggressive white man pressed upon them, and the State of Georgia, insisted upon the boundaries embraced in the royal charter, extended her laws and jurisdiction over this people. Then arose the memorable conflict between the State of Georgia and the Cherokee Nation, involving the general government in complications from which it sought to extricate itself by the treaty of 1835. An earnest appeal was made to

the eastern Cherokees to cede all their lands and remove west of the Mississippi. They hesitated long. Here were the graves of their sires; here were their homes and their hunting grounds. Every hill and valley, rivulet and glen, had its tradition and told of deeds of daring and renown. Here were their affections; this was their home. But the white man still pressed, and the demands of the government were urgent; arguments and considerations were used which only the rich and powerful can use, and terms were accepted which only the weak and defenseless can accept. A majority of the eastern Cherokees refused to treat; a minority, however, seeing their hapless condition east of the Mississippi—State law and State jurisdiction invading their territory at every point, and strongly urged by the general government, accompanied with the most sacred pledges of protection, entered into the treaty of New Echota, 1835, and, ceding their lands east, removed west of the Mississippi. These confiding men who made this treaty, and their adherents, are the same men who, with their wives and children, shivering in the cold, are now hovering on the borders of the Cherokee Nation, without shelter and without a home. Among the signers of this treaty will be found the names of Elias Boudinot, George W. Adair and Stand Watie. These men, after the lapse of thirty years, are here again before the government, insisting upon the observance of that faith and the assurance of that protection so solemnly guaranteed in the treaty. The last is here in person: the former two are represented here by their sons, Elias C. Boudinot and William Penn Adair. They made this treaty in pursuance of the (50) urgent wishes of the government. The non-treaty-making party were the most numerous. Here is the initial point of the deadly feuds and hatred between the treaty and non-treaty parties, which have continued from 1835 down to the present time without surcease or intermission, resulting in rapine, murder, assassination, and the steady decline in numbers of this people. No intelligent man who has lived on the frontier for the last quarter of a century can but be impressed with the utter impracticability of these contending factions ever living together in peace. The efforts of their principal men, by the treaty of 1846, to allay the deadly strife, proved utterly futile. Murder and assassination followed upon its heel and showed that the implacable spirit engendered by the treaty of 1835 was in-



ground in the people, and that no efforts of their chiefs could allay it. The reports of every superintendent, agent and commissioner upon the Cherokee people, now on file in your office, demonstrate this.

You invite me "to make suggestions which may be of service to the government in arranging the difficulties between them," (the factions).

This is a problem which the policy of the government in the past has wholly failed to solve. If the object of the government be to fulfill in the spirit the various treaty stipulations—insure them peace and domestic tranquility, to enlighten and advance them in the career of civilization, and to make them valuable neighbors and good friends—it is my deliberate opinion, based on an intimate knowledge of this people for a quarter of a century, and which is confirmed by every record in your office bearing upon the subject, that there is but one way to attain it, and that one way is the partition of the Cherokee domain in the proportion of numbers, and the separation of this people into two distinct and separate communities. The necessity for this course of policy has been apparent to the government in the past, and as far back as 1846 President Polk, by special message, urged it upon the attention of Congress, and advised separation, which recommendation was unheeded, and the treaty of 1846 was entered into, which it was hoped would bring peace to this distracted people. But it was a hollow truce and the evils it was intended to cure still remain unabated, acquiring strength with time, and which, if not arrested by the only remedy—separation—will result in the destruction of those to whom the government is peculiarly bound to afford protection and relief. This policy brought peace to the distracted parties of the Choctaw Nation. They now form two peoples, Choctaws and Chickasaws, who, ever since the separation, have lived side by side in peace and friendship. So also of the Creeks and Seminoles. The ears of the government have been assailed from year to year with the recital of the brutal assassinations and butcherly murders which have occurred among these hostile factions on the borders of Arkansas, sometimes transgressing the line, exciting the apprehension of the whites, and leading to the organization of mili-

tary companies. Like causes exist and like results may be looked for in the future. The question has but one solution—separation.

(51) The feuds among the Cherokees date far back, and have never ceased. The complications in which they were involved by reason of the rebellion only intensified the bitter hatred which already existed, nothing more.

The Cherokee troubles, I submit, should be dealt with practically, regard being had to past facts and future probabilities. The factions, after repeated trials, cannot settle or harmonize they cannot agree to stop disagreement long enough to effect a plan of adjustment. The government, as umpire and guardian, should therefore do it for them. If the present policy be adhered to, and the government compel these factions to live together, refuse to place political and geographical barriers between them, a repetition of their past broils, feuds and murders may be looked for, and the continued disquietude of the citizens of the borders of the neighboring states.

Separation of the factions is the only salvation of the Cherokees; the only way by which peace and harmony can be restored to them.

I have only further to say that in making the above statements and in giving the above opinions I am only moved by a desire to see these people prosperous and happy. I have no interest otherwise in the matter, except so far as their condition affecting Arkansas might be taken as such. I have been treated with courtesy and hospitality by all parties among them, and I sincerely desire to see them harmonious and united.

Before concluding, I wish to submit a few suggestions in reference to the civilized Indian nations west of Arkansas. The cordon of states is drawing closer and closer around them. In my own time, since living on the border, have two states arisen—one on the north, one on the south—and population is rapidly increasing in them all. A repetition of the history of the relations of the eastern Cherokees with the State of Georgia threatens. In a conflict arising between a sovereign state and the anomalous and dependent governmental organizations of the Indian tribes, little forecast is required to determine the result.

History will but repeat itself. Is there no remedy? or must these Indian nations fade away before the advancing line of new States and white civilization?

I submit, Mr. Commissioner, that if these different nations were aggregated under one territorial government with proper checks and safeguards; if their lands were surveyed and assigned in severalty; if the government would cut the leading strings and let them go, throw them upon their own efforts and resources, to sink or swim, then these people will move forward in civilization, maintain their identity, and win an honorable page in the history of states and nations. Treat them with the utmost liberality in their present unfortunate condition, but pay them the last payment and the last dollar; banish the miserable, corrupting, degrading system of bounties and Indian agencies, and let them go. Then holding their lands in severalty, and relying upon their own energies, their ambition will receive a new powerful and hitherto unknown stimulus, and all the great capabilities of the Indian will be developed.

The territorial bill, introduced in the Senate during the last (52) Congress by Mr. Secretary Harlan, while a member of that body, looks to these ends. It is a measure conceived in the humane spirit of enlightened statesmanship, and, in my judgement, is the only one which will secure to the Indian identity of race, a State civilization, and a history worthy of preservation. I learn that a similar bill is now before Congress, and I trust it may soon become a law.

Respectfully, your obedient servant,

J. M. TEBBETTS,

Hon. D. N. COOLEY,

*Commissioner of Indian Affairs, Washington, D. C.*

---

K.

*Letter of Charles B. Johnson to the Commissioner of Indian Affairs.*

*Washington, D. C., May 7, 1866.*

*Sir:* Yours of the 5th instant came duly to hand. In answer to your inquiries, I will say that the Cherokees are about equally divided as to numbers, "northern and southern." Most



of the southern Cherokees have returned to that portion of their country known as the Canadian district, south of the Arkansas. It has not come to my knowledge of any troubles or difficulties between the two parties since the termination of the war, but do not believe it possible for them to live peaceably under the same local government. From my own knowledge, (which has been the experience of twenty-seven years,) the bad feelings existing between the "Ross" and "Watie" parties can never be reconciled.

The worst state of things existed before the war. Since peace has come no change of feeling has taken place. I have been in frequent communication with both parties since the war.

Yours with respect,  
CHARLES B. JOHNSON,

HON. D. N. COOLEY

*Commissioner of Indian Affairs, Washington, D. C.*

---

L.

*Letter of Hon. R. T. Van Horn to the Commissioner of Indian Affairs.*

*House of Representatives  
Washington, D. C., May 10, 1866.*

*Sir:*—Your letter of May 5 was received yesterday, making certain inquiries touching the Cherokee Nation of Indians.

I have no means at hand to answer your interrogatory as to population, &c.

I have lived in the west many years, and have had opportunities of forming an opinion in regard to the state of feeling between the (53) two parties in the Cherokee Nation, known as the "Ross party," and "Ridge party," now designated as the "loyal" and "disloyal," respectively.

Ever since their removal from Georgia to the southwest, these parties have been engaged in strife and I do not believe they will ever be able to remain at peace if united. Blood has been freely shed heretofore, and will continue to be shed as long as one party has control over the other.

If the country had been divided twenty years ago, and the tribe separated, it would have been for the benefit of all; and I have no doubt that an attempt to keep them together in the future will only result in injury to both.

The feud is too old and too bitter ever to be healed.

Truly yours,

R. T. VAN HORN.

HON. D. N. COOLEY,

*Commissioner of Indian Affairs,*

---

M.

*Letter of General Blunt to the Commissioner of Indian Affairs.*

WASHINGTON, D. C., May 4, 1866.

Sir: In answer to your letter of yesterday, asking my views relative to the condition of the Cherokee Indians, northern and southern, their numbers, location, &c., and the probability of their reuniting and living together as one people, I have the honor to state that during the greater part of the time from May, 1862, to the close of the war, the southwestern Indian country was embraced within my command. Three regiments of loyal Indians were organized under my supervision, and served with me in the field in Arkansas and the Indian territory, in the campaigns of 1862 and 1863. And during the fall of 1865, since the termination of the war, I spent considerable time in the Cherokee Nation.

During all this time my relation with the Cherokee country was such as to afford me opportunities of becoming intimately acquainted with the status or condition of the Cherokee people, and to ascertain the relations existing between what is known as the loyal and disloyal portions of the tribe or nation.

In the fall of 1865, when I was last in the Cherokee Nation, the number of southern or disloyal Cherokees was between six thousand and seven thousand, which number comprised less than one-half of the entire aggregate of the Cherokee people. They were then located north of Red river, in the Choctaw and Chickasaw country, while the loyal Cherokees were occupying their former homes in their own country. What portion of the southern Cherokees, or whether any have since returned to their homes in the Cherokee country, I am unable to answer, as I have no information on the subject.

(54) As to the "probability of the two parties of the Cherokees, northern and southern, reuniting and living together as one people," I am clearly of the opinion that such a policy is impracticable, and would be inimical to the interests of both parties, and that the peace and security of each require their separation.

The reasons upon which I base this opinion are briefly these: It is well known that for many years prior to the late war a bitter feud existed between two factions of the Cherokee people. One of these factions now comprises the loyal Cherokees, and the other comprises the southern or disloyal Cherokees, and during the last four or five years this feud has become greatly intensified by the events of the war; and from my knowledge of the bitter hostility they manifest towards each other and of the peculiar traits of Indian character, I do not think it probable that amicable relations can again be restored among them, so as to admit of their living together in peace and harmony as one people under the same local jurisdiction. I believe that however much the leading men of both factions may exert themselves to preserve peace and security to life and property, their efforts will prove futile, unless they are separated and each party have their own municipal regulations. If this should not be done, and both factions are compelled to unite as one people, and be subject to such laws and regulations as may be prescribed by the dominant party, then the bitter party feuds, resulting in assassination and bloodshed that were so common prior to the war, will now be increased ten-fold; and in the execution of the local laws little protection will be afforded to those who may be the victims of persecution by the members of the dominant party.

Without expressing any opinion as to the manner of their separation, or the section of country that should be set apart for the location of each party, I am quite confident that the mutual welfare of both factions of the Cherokees demands that they should be separated and located in different portions of their territory, where neither party shall be subject to the local laws and regulations of the other.

I have the honor to be, very respectfully, your obedient servant,

JAS. G. BLUNT,  
*Late Major General.*

HON. D. N. COOLEY,  
*Commissioner of Indian Affairs.*



## N.

*Letter of D. H. Cooper to the Commissioner of Indian Affairs.*

*Washington, May 16, 1866.*

*Sir:* Having learned that it is your desire that I should furnish the Indian Office with any information in my possession relative to the present condition of the Cherokee Indians, both northern and southern, their location, numbers, &c., &c., especially as regards the (55) probability of their reuniting and living together as one people, together with my views and any suggestions that may be of service to the government in arranging the difficulties between them, in compliance therewith I have the honor to state that for a number of years past I have had but little accurate information of the condition and numbers of the northern Cherokees. Before the late war they were located principally north of the Arkansas River, east of Grand River, south of the Spavinaw, a tributary of Grand River, and west of the State line of Arkansas.

The southern Cherokees, before they left the Cherokee Nation, resided mostly west of Grand River, in the Verdigris and its branches, and in what is known at the Canadian district, in the forks of the Arkansas and Canadian Rivers and east of the Creek country. There were many exceptions to this classification, some of each party having resided within the localities inhabited mainly by the members of the opposite party. The present condition of the southern Cherokees is one of extreme poverty and destitution. A few of them have returned to the Cherokee country north of the Arkansas river; many are located in the Canadian district, and not a few yet remain among the Choctaws and Chickasaws. There are also many in Texas and other States, exiles from their country.

At the date of the surrender of the army of the Confederate States in the trans-Mississippi department, the number of the southern Cherokees was estimated, by those having the best means of accurate information on the subject, at five thousand five hundred, it would be safe, I think, to set down the southern Cherokees at something between six and seven thousand souls.

I have no means of arriving at the numbers and condition of the northern Cherokees, except the statistics embraced in the document accompanying your annual report for the year 1865.

At one time during the late war between the United States and the so-called Confederate States, the troops raised by the two opposing parties (the Ross and the Watie) among the Cherokees, for the service of the latter, were under my command, and I had frequent ample opportunity to observe the temper of those parties towards each other. I found an irreconcilable feud and the most deadly hostility existing between them, which I in vain attempted to remove; and I am entirely satisfied the members of the present generation among them will never live at peace together under the same government, unless forced to do so by military authority.

And knowing the characteristic tendency of the Indian race to nurse and keep alive their feuds, and to transmit the desire for revenge to their posterity, I doubt very much whether the deadly hate now existing between the Ross and Watie parties will be eradicated in another generation.

Entertaining this belief, I do not hesitate to give my opinion—and I do it without the slightest prejudice or ill-feeling—that it is not only the true interest of these two parties among the Cherokees that they should be separated and located in distinct districts, with independent legislatures, but that it is the duty of the United States (56) government to require this to be done, as the very best means of protecting them against “domestic strife.”

It is true the United States can, by keeping up a large standing military force among them, and by assuming the reins of government in the Cherokee Nation, reduce these people to subjection, and compel them to respect each other's rights; but this, it is apparent, would involve very heavy expense, and the violation of existing treaties, by depriving the whole Cherokee people, northern and southern, of the right of self-government.

Of the alternatives it seems to me a separation of the discordant elements would be most desirable and most acceptable to all parties.

In this connection I would most respectfully suggest, in as much as the two parties have a common interest in the Cherokee country and in the Cherokee funds, that an equitable division be made and a district or districts assigned to each, with well

defined boundaries, and that each party have guaranteed to them, by the United States, the right of jurisdiction and self-government over and within their respective limits; giving to the members of both parties the right freely to settle within the jurisdiction of the other, with all the rights, privileges and immunities of citizens thereof, inclusive of the right to vote and hold office.

To adopt this plan would not be experimental. There is a precedent under the tripartite treaty of June, 1855, between the United States, the Choctaws and the Chickasaws.

It has succeeded admirably with the Choctaws and Chickasaws, who, before the conclusion of that treaty, were rapidly becoming hostile to each other, and, but for the wise and timely settlement of their difficulties by the United States in 1855, doubtless bloodshed would have resulted.

I am, very respectfully, your obedient servant,

DOUGLAS H. COOPER.

HON. D. N. COOLEY,

*Commissioner of Indian Affairs,*

*Department of the Interior, Washington City.*

---

O.

*Letter of J. B. Luce to the Commissioner of Indian Affairs.*

*Washington, May 25, 1866.*

*Sir:* In reply to your inquiries as to the present condition of the northern and southern Cherokees, and the probability of their reuniting and living together again as one people, I have to state that my information relates rather to the past than to the present.

I first became acquainted with Cherokee affairs while a clerk in the Indian Office, from February, 1838, to April, 1841. It was part of my duty to read and register all the letters received during the disturbances (57) of 1839. I was afterwards clerk to the southern superintendent, the late Maj. William Armstrong, who took a leading part in making the treaty of 1846, and with whom I was then living. Up to that time, so far as my information extended, the opinion prevailed very



generally that the feuds between the contending parties were irreconcilable, and that they could not live together in peace under one tribal government. The accounts which Major Armstrong gave of the efforts made by the leaders of the different parties on that occasion to effect a cordial reconciliation were such as to induce the belief that the trial was then made under the most favorable circumstances, and for a while it seemed that the pacification was likely to be permanent. In 1848 my connection with the Indian department terminated. Since then my opportunities for obtaining a knowledge of Cherokee affairs have been such only as were common to other citizens of Arkansas living near the Indian line. From time to time I have heard of the killing of prominent Cherokees identified with the parties at strife before 1846, but do not know enough of the circumstances to say how far they were connected with political causes. In 1861 there were decided indications that the old animosity between the Ross and Ridge parties still existed, and that in some quarters it was as strong as as ever. In 1862 other circumstances tended to confirm this impression. Since 1862 I have had no means of knowing anything of Cherokee affairs except from southern Cherokees now in this city.

It will thus be seen that my information on the subject of your inquiries relates more especially to the treaty of 1846 and the seven or eight preceding years. I have always believed that whatever may have occurred before its date, that treaty was the expression of an honest, well-meant effort of the leaders on all sides to restore peace and harmony. If that effort failed, it seems to me but little could be hoped from any other. Any attempt to secure a reunion without the cordial concurrence and co-operation of the influential men of both parties would, in my opinion, be actually less likely to effect a reconciliation than a formal division or separation. Two instances somewhat analogous occur to me which support this view of the case.

The Chickasaws were left by their treaty of 1832 without a country. Major Armstrong—the same officer to whom I have already referred—made an arrangement or “convention,” in 1837, for their admission into the Choctaw country on terms which he thought favorable to them, but which they were induced to accept only because they could in no other way secure a home. The two tribes speak substantially the same language.

There had never been any feuds or hostilities to separate them. There was nothing that any outsider could perceive to prevent their becoming one people. Yet the objections, to all appearance imaginary, of the Chickasaw minority, equal to about one-fourth of the combined tribes, produced a running sore, which, in 1855, threatened serious mischief, so much so that the convention of 1837, after eighteen years' trial, was abrogated, and the separate government of the Chickasaws restored. During the ten years of separation the tendency to union has been (58) increasing, and the two tribes are actually bound together more closely at this moment than at any time while nominally united under a treaty.

In 1845, the same officer, Major Armstrong, as president of a board of commissioners to negotiate a treaty with the Creeks and Seminoles, effected an arrangement for the latter tribe under similar circumstances, and similar in its character to that made for the Chickasaws in 1837, the same degree of reluctance on the part of the homeless minority being shown in both cases. There was in fact a striking parallelism all the way through—the same apparent natural causes for union—the causes for disunion apparently trivial and imaginary—the real difficulty in both cases arising from the want of consent on the part of the smaller tribe. The union of the Choctaws and Chickasaws lasted eighteen years; that of the Creeks and Seminoles eleven. The latter was abrogated in 1856, and, as in the other case, was followed by a stronger tendency to consolidation than had previously existed.

As already remarked, I am for these reasons led to doubt that the reunion of the Cherokees can be effected so long as it is resisted by any considerable portion of either one of the contending parties.

Very respectfully, your most obedient servant,  
J. B. LUCE.

HON. D. N. COOLEY,  
*Commissioner of Indian Affairs.*

## SUBJOINED DOCUMENTS AND EDITORIAL NOTES

---

<sup>1</sup> Annual Report, Commissioner of Indian Affairs, 1865, pp. 299-353.

<sup>2</sup> This protest, filed by H. D. Reese, of the Cherokee delegation at the peace council held at Fort Smith, Arkansas, in September, 1865, was as follows: "We, the loyal Cherokee delegation, acknowledge the execution of the treaty of October 7, 1861, but we solemnly declare that the execution was procured by the coercion of the rebel army."

<sup>3</sup> The action of the Government Peace Commission in declining to further recognize John Ross as the chief of the Cherokee Nation took the form of the adoption of a resolution which read as follows:

"Whereas, John Ross, an educated Cherokee, formerly chief of the nation, became the emissary of the States in rebellion and, by means of his superior education and ability as such emissary, induced many of his people to abjure their allegiance to the United States and join the States in rebellion, inducing those who were warmly attached to the government to aid the enemies thereof; and, whereas, he now sets up claim to the office of principal chief and, by his subtle influence, is at work poisoning the minds of those who are truly loyal; and, whereas, he is endeavoring by his influence, as pretended first chief, to dissuade the loyal delegation of Cherokees, now at this council, from a free and open expression of their sentiments of loyalty to the United States; and, whereas, he has been for two days in the vicinity of our council-room (without coming into the same) at this place, disaffecting the Cherokees and persuading the Creeks not to enter into treaty stipulations which were arranged for the benefit of the loyal Creeks and of the United States; and, whereas, he is, by virtue of his position, as pretended first chief of the Cherokees, exercising an influence in his nation, and at this council, adverse to the wishes and interest of all loyal and true Indians and of the United States; and, whereas, we believe him to be still at heart an enemy of the United States, and disposed to breed discord among his people, and that he does not represent the will and wishes of the loyal Cherokees and is not the choice of any considerable portion of the Cherokee nation for the office which he claims, but which, by their law, we believe he does not in fact hold:

"Now, therefore, we, the undersigned commissioners, sent by the President of the United States to negotiate treaties with the Indians of the Indian territory and southwest, having knowledge of the facts above recited, refuse as commissioners in any way or manner to recognize said Ross as chief of the Cherokee nation.

"Witness our hands, at Fort Smith, Arkansas, this 15th day of September, 1865.

D. N. COOLEY, President.

WM. S. HARNEY, Brigadier General U. S. Army, Commissioner.

ELIJAH SELLS, Commissioner.

ELI S. PARKER, Commissioner.

THOMAS WISTAR.\*

The members of the Northern (or "Loyal") Cherokee delegation promptly took issue with the statements contained in the foregoing pronouncement on the part of the members of the Government Peace Commission. Three days later (September 18) they entered a most emphatic protest against the action of the Government's commissioners in thus arbitrarily excluding Ross from even an advisory participation in the deliberations and discussions of the council. This protest was as follows:

---

\*Annual Report of the Commissioner of Indian Affairs, pp. 304-5.



"The delegation of the Cherokee nation beg leave to file their respectful but solemn protest against the action of the honorable United States commissioners on the 15th instant in regard to John Ross, principal chief of the Cherokee nation; that it was based upon erroneous information; and because it destroys at once the right of the people of the Cherokee nation to choose their own rulers—a right which has never been withheld from them in the whole history of government. John Ross has never, so far as our knowledge extends, been an emissary of the States in rebellion, nor used his influence to seduce our allegiance to the United States. On the contrary, long after all the tribes and States in our immediate vicinity had abjured their allegiance, when there was not one faithful left among the Indians, and all the troops in the service of the United States had been driven off by the enemies of the government, and all protection was withdrawn, he adhered to his allegiance, and only yielded when further resistance promised the entire destruction of his people. For three years past he has been our authorized delegate at Washington city, and the recognized head of the Cherokee nation, and we are advised of no action on his part, during this time, that in any way impugns his loyalty to the United States, or his fidelity to the Cherokee nation. He only arrived at our place of stopping on the other bank of the river on the 14th, after we had left to attend the council. The day after, he crossed the river and attended the council-room in the afternoon.

"We affirm that he used no influence to dissuade us from a free expression of our views, or the exercise of our own actions.

"We are authorized also to state that he had no conference or communication, directly or indirectly, with any Creek Indians, either at this place or since his return to the Cherokee nation. We also beg leave to assure the honorable commission that Mr. John Ross is not the pretended chief of the Cherokee nation, but that he is principal chief in law and fact, having been elected to that position without opposition, on the first Monday in August, for the term of four years, by the qualified voters, in accordance with the provisions of the Cherokee nation. We further request that the honorable commissioners rescind their action in the premises.

LEWIS DOWNING,

Assistant Principal Chief.

SMITH CHRISTIE.

THOMAS PEGG.

NATHANIEL FISH.

H. B. DOWNING.

WHITECATCHER.

MINK DOWNING.

JESSE BALDRIDGE.

CHEE CHEE.

SAMUEL SMITH.

H. D. REESE.\*

Fort Smith, September 18, 1865.

<sup>4</sup> The statement that the Cherokee people, gathered in mass assembly, had unanimously voted in favor of an alliance with the Confederate States after having listened to an address by John Ross, naturally leads to the inference that Ross had advised and counselled such a course on their part and, inasmuch as Commissioner Cooley did not see fit to include a copy of this address among the documents appended to this paper, it seems but fair to conclude that it was his intention to convey such an inference.

<sup>5</sup> The statement to the effect that Colonel Stand Watie's battalion of Confederate Cherokees was raised and organized in December, 1861, is not in consonance with the facts. Under date of September 2, 1861, Gen-

\*Annual Report of the Commissioner of Indian Affairs for 1865, p. 208.

eral Benjamin McCulloch wrote to the Confederate secretary of War in part as follows:

"I have, previous to this time, employed some of the Cherokees, under Col. Stand Watie, to assist me in protecting the northern borders of the Cherokees from the inroads of the jayhawkers of Kansas. This they have effectually done and, at this time, are on the Cherokee neutral lands in Kansas. Colonel Stand Watie belongs to the true Southern party, composed mostly of mixed bloods, and opposed to John Ross, and by whose course and influence Ross was induced to join the South. I hope our Government will continue this gallant man and true friend of our country in the service, and attach him and his men (some 300) to my command. It might be well to give him a battalion separate from the Cherokee regiment under Colonel Drew. Colonel Drew's regiment will be mostly composed of full-bloods, whilst those with Col. Stand Watie will be half-breeds, who are educated men and good soldiers anywhere, in or out of the Nation."\*

<sup>6</sup> The protest of the Cherokee delegates in attendance at the Fort Smith peace council which was filed because of the announced decision of the Government's commissioners to refuse to recognize John Ross as the chief of the Cherokee Nation (which, for obvious reasons, Commissioner Cooley could not include in the list of documents appended to a report which was designed to discredit Ross) would seem to offer a reasonable explanation for his absence from the Cherokee Nation from 1862 to 1865. Moreover, the fact that he had been re-elected by his people as their chief after having been absent from the Cherokee Nation for three years would seem to indicate that they had been satisfied with his attitude and activities during that interval.

<sup>7</sup> In the appendix to this report, Commissioner Cooley included fourteen letters and other documents, all of which were designed to impeach the integrity of Ross and, therefore, to discredit the loyalty of his followers. Had there been a disposition to be fair to him or to the "Loyal," or "Northern" Cherokees, so called, more correspondence might have been quoted with a really enlightening result. In order to thoroughly comprehend the situation in which Ross was placed at the outbreak of the war it is well to consider the pressure that was brought to bear upon him in order to induce him to make a decision in favor of an alliance with the seceding states. The following letters need little if any explanation:

State of Arkansas, Executive Department,  
Little Rock, January 29, 1861.

To His Excellency JOHN ROSS,  
Principal Chief Cherokee Nation.

SIR:—It may now be regarded as almost certain that the States having slave property within their borders will, in consequence of repeated Northern aggressions, separate themselves and withdraw from the Federal Government.

South Carolina, Alabama, Florida, Mississippi, Georgia and Louisiana have already, by action of the people, assumed this attitude. Arkansas, Missouri, Tennessee, Kentucky, Virginia, North Carolina and Maryland will probably pursue the same course by the 4th of March next. Your people, in their institutions, productions, latitude and natural sympathies, are allied to the common brotherhood of the slaveholding States. Our people and yours are natural allies in war and friends in peace. Your country is salubrious and fertile and possesses the highest capacity for future progress and development by the application of slave labor. Besides this, the contiguity of our territory with yours induces relations of so intimate a character as to preclude the idea of discordant or separate action.

\*Official Records of the Union and Confederate Armies, Series I., Vol. III., p. 692.



It is well established that the Indian country west of Arkansas is looked to by the incoming administration of Mr. Lincoln as fruitful fields, ripe for the harvest of abolitionism, freesoilers and Northern mountebanks.

We hope to find in you friends willing to co-operate with the South in defense of her institutions, her honor and her firesides, and with whom the slaveholding states are willing to share a common future and to afford protection commensurate with your exposed condition and your subsisting monetary interests with the General Government. As a direct means of expressing to you these sentiments, I have dispatched my aide-de-camp, Lieut. Col. J. J. Gaines, to confer with you confidentially upon these subjects, and to report to me any expressions of kindness and confidence that you may see proper to communicate to the governor of Arkansas, who is your friend and the friend of your people.

Respectfully, your obedient servant,

H. M. RECTOR,

Governor of Arkansas.\*

Tahlequah, Cherokee Nation,  
February 22, 1861.

His Excellency HENRY M. RECTOR,  
Governor of Arkansas.

Sir:—I have the honor to acknowledge the receipt of Your Excellency's communication of the 29th ultimo, per your aide-de-camp, Lieut. Col. J. J. Gaines.

The Cherokees cannot but feel a deep regret and solicitude for the unhappy differences which at present disturb the peace and quietude of the several States, especially when it is understood that some of the slave States have already separated themselves and withdrawn from the Federal Government and that it is probable that others will also pursue the same course.

But may we not yet hope and trust in the dispensation of Divine power to overrule the discordant elements for good, and that, by the counsel of the wisdom, virtue and patriotism of the land, measures may happily be adopted for the restoration of peace and harmony among the brotherhood of States within the Federal Union.

The relations which the Cherokee people sustain toward their white brethren have been established by subsisting treaties with the United States Government, and by them they have placed themselves under the "protection of the United States and of no other sovereign whatever." They are bound to hold no treaty with any foreign power, or with any individual State, nor with the citizens of any State. On the other hand, the faith of the United States is solemnly pledged to the Cherokee Nation for the protection of the right and title in the lands, conveyed to them by patent, within their territorial boundaries, as also for the protection of all other of their national and individual rights and interests of person and property. Thus the Cherokee people are inviolably allied with their white brethren of the United States in war and friends in peace. Their institutions, locality and natural sympathies are unequivocally with the slave-holding States. And the contiguity of our territory to your State, in connection with the daily social and commercial intercourse between our respective citizens, forbids the idea that they should ever be otherwise than steadfast friends.

I am surprised to be informed by Your Excellency that "it is well established that the Indian country west of Arkansas is looked to by the incoming administration of Mr. Lincoln as fruitful fields ripe for the harvest of abolitionism, free-soilers and Northern mountebanks." As I am sure the laborers will be greatly disappointed if they shall expect in the

\*Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 490-1.



Cherokee country "fruitful fields ripe for the fields of abolitionism," &c., you may rest assured that the Cherokee people will never tolerate the propagation of any such obnoxious fruit upon their soil.

And in conclusion I have the honor to reciprocate the salutations of friendship.

I am, sir, very respectfully, Your Excellency's obedient servant,  
JNO. ROSS,  
Principal Chief Cherokee Nation.\*

<sup>8</sup> The letter thus mislaid by Commissioner Cooley was written by Lieut. Col. J. R. Kannady (not Kenney) and it was as follows:

Headquarters, Fort Smith, May 15, 1861.  
Hon. JOHN ROSS, Principal Chief Cherokee Nation.

SIR:—Information has reached this post to the effect that Senator Lane, of Kansas, is now in that State raising troops to operate on the western borders of Missouri and Arkansas. As it is of the utmost importance that those intrusted with the defense of the western frontier of this State should understand the position of the Indian tribes through whose territory the enemy is likely to pass, I feel it to be my duty as the commanding officer at this post and, in that capacity, representing the State of Arkansas and the Southern Confederacy, of which she is a member, respectfully to ask if it is your intention to adhere to the United States Government during the pending conflict or if you mean to support the Government of the Southern Confederacy; and also, whether, in your opinion the Cherokee people will resist or will aid the Southern troops in resisting any such attempt to invade the soil of Arkansas, or if, on the other hand, you think there is any probability of their aiding the United States forces in executing their hostile design?

I have the honor to be, very respectfully, your most obedient servant,  
J. R. KANNADY,  
Lieutenant-Colonel, Commanding Fort Smith.†

To the foregoing inquiry Chief Ross made the following reply:  
Park Hill, Cherokee Nation,  
May 17, 1861.

J. R. KANNADY,  
Lieutenant-Colonel, Commanding Fort Smith.

SIR:—I have had the honor of receiving from John B. Luce, Esq., your communication of the 15th instant, apprising me that "information had reached Fort Smith to the effect that Senator Lane, of Kansas, is now in that State raising troops to operate on the western borders of Missouri and Arkansas," and also asking whether "it is your (my) intention to adhere to the United States Government during the pending conflict," or "if you (I) mean to support the Government of the Southern Confederacy;" and also "whether in your (my) opinion the Cherokee people will resist or will aid the Southern troops in resisting any such attempt to invade the soil of Arkansas;" or "if, on the other hand, you (I) think there is any probability of their aiding the United States forces in executing their hostile designs?"

In reply to these inquiries I have the honor to say that our rights of soil, of person and of property, and our relation generally to the people and Government of the United States were defined by treaties with the United States Government prior to the present condition of affairs. By those treaties relations of amity and reciprocal rights and obligations were established between the Cherokee Nation and the Government of those States. Those relations still exist. The Cherokees have properly taken no

\*Op. Cit., pp. 491-2.

†Ibid., p. 492-3.

part in the present deplorable state of affairs, but have wisely remained quiet. They have done nothing to impair their rights or to disturb the cordial friendship between them and their white brothers. Weak, defenseless and scattered over a large section of country, in the peaceful pursuits of agricultural life, without hostility to any State and with friendly feelings towards all, they hope to be allowed to remain so, under the solemn conviction that they should not be called upon to participate in the threatened fratricidal war between the "United" and the "Confederate" States, and that persons gallantly tenacious of their own rights will respect those of others. If the pending conflict were with a foreign foe, the Cherokees, as they have done in times past, would not hesitate to lend their humble co-operation. But under existing circumstances my wish, advice and hope are that we shall be allowed to remain strictly neutral. Our interests all center in peace. We do not wish to forfeit our rights or incur the hostility of any people, and least of all, the people of Arkansas, with whom our relations are so numerous and intimate. We do not wish our soil to become the battle ground between the States and our homes to be rendered desolate and miserable by the horrors of a civil war.

If such war should not be averted yet by some unforeseen agency, but shall occur, my own position will be to take no part in it whatever and to urge the like course upon the Cherokee people, by whom, in my opinion, it will be adopted. We hope that all military movements, whether from the North or the South, will be outside our limits and that no apprehension of a want of sincere friendship on our part will be cherished anywhere, and least of all by the people of your State.

I have the honor to be, very respectfully, your obedient servant,

JNO. ROSS,

Principal Chief Cherokee Nation.

P. S.—I enclose you herewith copies of a correspondence between certain gentlemen of Boonsborough, Ark., and myself, and for your information.

Very respectfully, yours, &c.,

JNO. ROSS,

Principal Chief Cherokee Nation.\*

(Enclosures)

Boonsborough, Ark., May 9, 1861.

HON. JOHN ROSS.

DEAR SIR:—The momentous issues that now engross the attention of the American people cannot but have elicited your interest and attention as well as ours. The unfortunate resort of an arbitrament of arms seems now to be the only alternative. Our State has of necessity to co-operate with her natural allies, the Southern States. It is now only a question of North and South, and the "hardest must fend off." We expect manfully to bear our part of the privations and sacrifices which the times require of the Southern people.

This being our attitude in this great contest, it is natural for us to desire, and we think, we may say, we have a right, to know what position will be taken by those who may greatly conduce to our interests as friends or to our injury as enemies. Not knowing your political status in this present contest as the head of the Cherokee Nation, we request you to inform us by letter, at your earliest convenience, whether you will co-operate with the Northern or Southern section, now so unhappily and hopelessly divided. We earnestly hope to find in you and your people true allies and active friends; but if, unfortunately, you prefer to retain your connection with the Northern Government and give them aid and comfort, we want to know that, as we prefer an open enemy to a doubtful friend.

\*Official Records of the Union and Confederate Armies. Series I, Vol. XIII., pp. 492-3.

With considerations of high regard, we are, your obedient servants,

MARK BEAN,  
W. B. WELCH,  
E. W. MacCLURE,  
JOHN SPENCER,  
J. A. McCOLLOCH,  
J. M. LACY,  
J. P. CARNAHAN,  
And Many Others.

Park Hill, Cherokee Nation,  
May 18, 1861.

GENTLEMEN:—Your letter of the 9th instant has been received. Personal indisposition and press of official business and correspondence will account to you satisfactorily, I hope, for my delay in acknowledging it.

You are right in supposing that both my attention and interest have been elicited by the momentous issues to which you refer. Since the receipt of your communication, I have been addressed in relation to the same subject by Lieutenant-Colonel Kannady, commanding at Fort Smith, and I beg you to accept the enclosed copy of my reply to him as a response to yourselves; also as to the position which I occupy in regard the objects of your inquiry. A residence of more than twenty years in your immediate vicinity can leave no room for doubt as to my friendship for the people of Arkansas; but if my present position does not constitute us "as active friends" as you might desire us to be, you will not surely regard us as an enemy.

You are fully aware of the peculiar circumstances of our condition, and will not expect us to destroy our national and individual rights and bring around our hearth-stone the horrors and desolations of civil war prematurely and unnecessarily. I am—the Cherokees are—your friends and the friends of your people but we do not wish to be brought into the feuds between yourselves and your Northern brethren. Our wish is for peace, peace at home and peace among you. We will not disturb it as it now exists, nor interfere with the rights of the people of the States anywhere. War is more prospective than real. It has not been declared by the United or Confederate States. It may not be. I most devoutly hope it might not be. Your difficulties may be ended soon by compromise or peaceful separation. What will then be our situation if we now abrogate our rights, when no one else is or can just now be bound for them? All these questions present themselves to us and constrain us to avow a position of strict neutrality. That position I shall endeavor honestly to maintain. The Cherokee Nation will not interfere with your rights nor invade your soil, nor will I doubt that the people of Arkansas and all other states will be alike just toward the Cherokee people.

With my best wishes for you personally, I have the honor to be, very respectfully, your friend and obedient servant,

JNO. ROSS,  
Principal Chief Cherokee Nation.

MESSRS MARK BEAN, W. B. WELCH,  
E. W. MacCLURE, JOHN SPENCER,  
J. A. McCOLLOCH, J. M. LACY, J. P.  
CARNAHAN AND OTHERS:

In March, 1861, James E. Harrison, James Bourland and Charles A. Hamilton, as commissioners representing the state of Texas, visited the Cherokee Nation (as they had also visited each of the other four civilized tribes) for the purpose of enlisting its active co-operation in the pending struggle, and called upon John Ross at his home, at Park Hill. In their



report to Governor Clark (Official Records of the Union and Confederate Armies, Series IV, Vol I, pp. 322-5) appears the following account of their interview with Ross:

"In the intermediate time we visited the Cherokee Nation, calling on their principal men and citizens, conversing with them freely until we reached Tahlequah, the seat of government. Near this place Mr. John Ross resides, the Governor of the nation. We called on him officially. We were not unexpected, and were received with courtesy, but not with cordiality. A long conference was had with him, conducted by Mr. Harrison on the part of the commissioners, without, we fear, any good result. He was very diplomatic and cautious. His position is the same as that held by Mr. Lincoln in his inaugural; declares the Union not dissolved; ignores the Southern Government. The intelligence of the nation is not with him. Four-fifths, at least, are against his views, as we learned from observation and good authority. He, as we learned, had been urged by his people to call a council of the nation (he having the only constitutional authority to do so), to take into consideration the embarrassed condition of political affairs in the States, and to give some expression of their sentiments and sympathies. This he has persistently refused to do. His position in this is that of Sam. Houston in Texas, and in all probability will share the same fate, if not a worse one. His people are already oppressed by a Northern population letting a portion of territory purchased by them from the United States, to the exclusion of natives, and we are creditably informed that the Governors of some two or more of the Western free-soil States have recommended their people emigrating to settle the Cherokee country. It is due Mr. John Ross, in this connection, to say that during our conference with him he frequently avowed his sympathy for the South, and that if Virginia and other Border States seceded from the Government of the United States, his people would declare for the Southern Government that might be formed. The fact is not to be denied or disguised that among the common Indians of the Cherokees there exists a considerable abolition influence, created and sustained by one Jones, a Northern missionary of education and ability, who has been among them for many years, and who is said to exert no small influence with John Ross himself."

(The "one Jones" above referred to was in reality two men—father and son. Evan Jones, a native of Wales, was the founder of the Baptist Mission among the Cherokees in the west, and his son, John B. Jones, who was born at a mission station among the Cherokees in North Carolina, was reared among the Cherokee people and spoke their language with fluency. After completing his education at the University of Rochester, New York, he was ordained to the ministry of the Baptist Church and returned to Cherokee Nation to become his father's assistant in superintending the work of the Baptist Cherokee Mission. Their work was almost entirely among the full-blood element of the tribe, over which they exerted a most remarkable influence. They made no secret of their anti-slavery propaganda, which occasioned much uneasiness, not only in the Cherokee Nation but also in Arkansas, a year or two before the outbreak of the Civil War.)

About this same time, David Hubbard, Commissioner of Indian Affairs for the Confederate States, who was in the West, addressed a letter to Ross, a copy of which, with a copy of Ross' reply, follows:

Fort Smith, June 12, 1861.

HON. JOHN ROSS,  
Principal Chief Cherokee Nation.

SIR:—As Commissioner of Indian Affairs of the Confederate States it was my intention to have called upon you and consulted as to the mutual interests of our people. Sickness has put it out of my power to travel,

and those interests require immediate consideration, and therefore I have determined to write and make what I think a plain statement of the case for your consideration, which I think stands thus: If we succeed in the South—succeed in this controversy, and I have no doubt of the fact, for we are daily gaining friends among the powers of Europe and our people are arming with unanimity scarcely ever seen in the world before—then your lands, your slaves and your separate nationality are secured and made perpetual and, in addition, nearly all your debts are in Southern bonds, and these we will also secure. If the North succeeds you will most certainly lose all. First your slaves they will take from you; that is one object of the war, to enable them to abolish slavery in such manner and at such time as they choose. Another, and perhaps the chief cause, is to get upon your rich lands and settle their squatters, who do not like to settle in slave States. They will settle upon your lands as fast as they choose, and the Northern people will force their Government to allow it. It is true they may allow your people small reserves—they give chiefs pretty large ones—but they will settle among you, overshadow you, and totally destroy the power of your chiefs and your nationality, and then trade your people out of the residue of their lands. Go North among the once powerful tribes of that country and see if you can find Indians living and enjoying power and property and liberty as do your people and the neighboring tribes from the South. If you can, then say I am a liar, and the Northern States have been better to the Indian than the Southern States. If you are obliged to admit the truth of what I say, then join us and preserve your people, their slaves, their vast possessions in lands, and their nationality.

Another consideration is your debts, annuities, &c., school funds due you. Nearly all are in bonds of Southern States and held by the Government at Washington, and these debts are nearly forfeited already by the act of war made upon the States by that Government. These we will secure you beyond question if you join us. If you join the North they are forever forfeited, and you will have no right to believe that the Northern people will vote to pay you this forfeited debt. Admit that there may be some danger, take which side you may, I think the danger tenfold greater to the Cherokee people if they take sides against us than for us. Neutrality will scarcely be possible. As long as your people retain their national character your country cannot be abolitionized, and it is our interest therefore that you should hold your possessions in perpetuity.

I have the honor to be, respectfully, &c., your obedient servant,

DAVID HUBBARD,

Commissioner of Indian Affairs.\*

Executive Department, Cherokee Nation,  
Park Hill, June 17, 1861.

HON. DAVID HUBBARD,

Com. Indian Affairs Confederate States, Fort Smith, Ark.

SIR:—Your communication dated at Fort Smith, 12th instant, has been received. The questions presented by you are of grave importance, and I have given them the best consideration I am capable. As the result of my deliberation allow me to say, with the highest respect for the Government you represent, that I feel constrained to adhere to the line of policy which I have heretofore pursued, and take no part in the unfortunate war between the United and Confederate States of America.

When you were one, happy, prosperous and friendly, as the United States, our treaties were made from time to time with your Government. Those treaties are contemporaneous with that Government, extending from the Confederacy of the United States previous to the adoption of the Constitution down to the present time. The first of them was negotiated

\*Official Records of the Union and Confederate Armies, Series I, Vol. XLII., pp. 497-8.



at Hopewell, in 1785, and the last at Washington, in 1846. Some of them are the result of choice, others of necessity. By their operation the Cherokees surrendered large and valuable tracts of lands to the states which compose an important part of your Government. They came to the country now occupied by them with the assurance from the Government of the United States that it should be their home and the home of their posterity.

By the treaty of Hopewell the Cherokees placed themselves under the protection of the United States of America and of no other sovereign whatever. By the treaty of Holston, 1791, the stipulation quoted was renewed and extended so as to declare that

"The Cherokee Nation will not hold any treaty with any foreign power, individual State, or with individuals of any State."

This stipulation has not been abrogated and its binding force on the Cherokee Nation is as strong and imperative now as at any time since its adoption. I feel it to be so and am not willing to disregard it even at the present time. You are well aware that a violation of its letter and spirit would be tantamount to a declaration of hostility toward the Government. There is no reason to doubt that it would be viewed in that light and so treated. There is no reason why we should wantonly assume such attitude and invoke upon our heads and upon the heads of our children the calamities of war between the United and Confederate States, nor do I think you should expect us without a sufficient cause. If our institutions, locality, and long years of neighborly deportment and intercourse do not suffice to assure you of our friendship, no mere instrument of parchment can do it. We have no cause to doubt the entire good faith with which you would treat the Cherokee people; but neither have we any cause to make war against the United States, or to believe that our treaties will not be fulfilled and respected by that Government. At all events, a decent regard to good faith demands that we should not be the first to violate them.

It is not the province of the Cherokees to determine the character of the conflict going on in the States. It is their duty to keep themselves, if possible, disentangled, and afford no grounds to either party to interfere with their rights. The obligations of every character, pecuniary and otherwise, which existed, prior to the present state of affairs, between the Cherokee Nation and the Government, are equally valid now as then. If the Government owe us I do not believe it will repudiate its debts. If the States embraced in the Confederacy owe us, I do not believe they will repudiate their debts. I consider our annuities safe in either contingency.

A comparison of Northern and Southern philanthropy, as illustrated in their dealings toward the Indians within their respective limits, would not affect the merits of the question now under consideration, which is simply one of duty under the existing circumstances. I therefore pass it over, merely remarking that the "settled policy" of former years was a favorite one with both sections when extended to the acquisition of Indian lands, and that but few Indians now press their feet upon the banks of either the Ohio or the Tennessee. The conflict in which you are engaged will possibly be brought to a close by some satisfactory arrangement or other before proceeding to very active hostilities. If you remain as one government our relations will continue unchanged: if you separate into two governments upon the sectional line we will be connected with you; if left to the uncertain arbitrament of the sword the party holding, succeeding to the reins of the General Government, will be responsible to us for the obligations resting upon it.

I have the honor to be, sir, your obedient servant,

JNO. ROSS,

Principal Chief Cherokee Nation.\*

---

Official Records of the Union and Confederate Armies. Series I, Vol. XIII. pp. 498-9.



<sup>9</sup>It would seem reasonably probable that Ross had stated that he would be willing, old as he then was (sixty-eight years), to "assist in repelling foreign invasion." To General McCulloch's way of thinking, the United States had recently become a foreign country, hence it was perfectly natural for him to imply that the advance of a force of Federal troops into the Cherokee country would constitute a "foreign invasion." As to whether Ross used the words with the meaning implied by General McCulloch, there would seem to be at least a reasonable ground for doubt. During the War of 1812, he had served as an officer (adjutant) of a regiment of Cherokees which entered the service of the United States against a foreign power. Ross was a man who weighed his words and their meaning very carefully. It would therefore seem possible that he may have used the words "foreign invasion" advisedly and intentionally for the purpose of temporarily satisfying General McCulloch, for he was playing for time and delay in the hope that war might be averted. Commissioner Cooley's assumption that it was "perfectly apparent that there had been a difference between the tenor of the personal conversation and the words used in the correspondence which General McCulloch had with Ross does not seem to be fully warranted. General McCulloch certainly had a motive, military if not personal, in seeking to construe the words "foreign invasion" as used by Ross, to mean an "invasion from the north," just as Commissioner Cooley had a motive in seeking to discredit the sincerity of Ross in his stand for neutrality, but neither of them was in a position to submit any positive evidence as what Ross really meant by the word "foreign" as used in the premises.

<sup>10</sup> As early as May 28, Gen. Benjamin McCulloch, writing from Fort Smith to L. P. Walker, Confederate secretary of war, described the attitude of the several Indian tribes as follows:

"It appears from the best information that the Choctaws and Chickasaws are all anxious to join the Southern Confederacy, and I think Colonel Cooper will have no difficulty in organizing his regiment. The Creek Nation will also come in, and there will be no difficulty in raising a regiment in the tribe. It appears that there are two parties in the Cherokee Nation—one very much in favor of joining the Southern Confederacy; the other hesitates, and favors the idea of remaining neutral. These two parties are kept apart by bitter feuds of long standing, and it is possible that feelings of animosity may tempt one party to join the North, should their forces march into the Indian Territory. It is therefore necessary to see the chief of the tribe (John Ross) and, by enlisting him on our side, get a force into the nation that will prevent any force from the North getting a foothold and enlisting the sympathies of any portion with their party."\*

Less than a month later General McCulloch wrote the following letter:  
Headquarters McCulloch's Brigade,  
Fort Smith, Ark., June 22, 1861.

HON. L. P. WALKER, Secretary of War.

SIR:—I have the honor to transmit the enclosed copy of a communication from John Ross, the principal chief of the Cherokee Nation.

Under all the circumstances of the case I do not think it advisable to march into the Cherokee country at this time unless there is some urgent necessity for it. If the views expressed in my communication to you of the 14th instant are carried out, it will, I am satisfied, force the conviction on the Cherokees that they have but one course to pursue—that is, join the Confederacy. The Choctaw and Chickasaw regiments will be kept on the south of them; Arkansas will be to the east; and with my force on the western border of Missouri no force will be able to march into the Cherokee Nation, and surrounded as they will be by Southern troops, they will have but one alternative at all events. From my position to the north of

\*Official Records of the Union and Confederate Armies. Series I, Vol. III, pp. 587-8.

them, in any event, I will have a controlling power over them. I am satisfied from my interview with John Ross and his communication that he is only waiting for some favorable opportunity to put himself with the North. His neutrality is only a pretext to await the issue of events.

I have the honor to be, sir, your obedient servant,

BEN. McCULLOCH,

Brigadier-General, Commanding.\*

<sup>11</sup> Had Commissioner Cooley been disposed to be fair and just in his official attitude toward John Ross, it is scarcely probable that he would have permitted himself to make such a statement concerning the address delivered by Ross to the mass meeting of Cherokee citizens which was assembled at Tahlequah, August 21, 1861. As it was, he laid himself open to the charge of never having read a copy of the address delivered by Ross upon that occasion, on the one hand, or that he deliberately misrepresented it, on the other. The text of the address by Chief Ross was as follows:

FRIENDS AND FELLOW CITIZENS: It affords me great pleasure to see so many of you on the present occasion. The invitation to you to meet here went from the executive department, in compliance with the wishes of many citizens who desired to make stronger the cords that bind us together and to advance the common welfare. The circumstances under which you have assembled are full of import. You have precious rights at stake, and your posterity, it may be, will be affected by the sentiments that you express. You need not be told that evil times have befallen the great Government with which we have been connected. Rent by dissensions, its component parts stand in hostile array. They have marshaled powerful armies, who have already engaged in deadly conflicts. The United States claim to contend for the integrity of their Government; the Confederates for their independence and a government of their own. Gigantic preparations are made by both sides to carry on the war. The calamities, the length and the result of that war cannot be foretold. The Cherokees will be concerned in its issue, which in all probability, it now appears, will be the establishment of the new government. The attention of your authorities was early directed to the subject from their position and by correspondence with officers of the Confederate States, and the delicate and reasonable duty devolved upon them of deciding to some extent the course to be pursued by the Cherokee Nation in the conflict between the whites, to whom she was equally bound in peace and friendship by existing treaties. Our situation is peculiar. Our political relations had long been established with the United States Government, and which embraces the seceding as well as the adhering States. Those relations still exist. The United States have not asked us to engage in the war, and we could not do so without coming into collision with our friends and neighbors, with whom we are identified by location and similar institutions. Nor, on the other hand, had we any cause to take up arms against the United States, and prematurely and wantonly stake our lives and all our rights upon the hazards of the conflict. I felt it to be my duty, therefore, then to advise the Cherokee people to remain neutral, and issued a proclamation to that effect. I am gratified to know that this course has met the approbation of the great mass of the Cherokee people, and been respected by the officers of both Governments in a manner that commands our highest gratitude. Our soil has not been invaded, our peace has not been molested, nor our rights interfered with by either Government. On the contrary, the people have remained at home, cultivated their farms in security, and are reaping fruitful returns for their labors. But for false fabrications, we should have pursued our ordinary vocations without any excitement at home, or misrepresentations and consequent misapprehensions abroad, as to the real sentiments and purposes of the Cherokee

\*Official Records of the Union and Confederate Armies, Series I, Vol. III, pp. 595-6.



people. Alarming reports however, have been pertinaciously circulated at home and unjust imputations among the people of the States. The object seems to have been to create strife and conflict, instead of harmony and good will, among the people themselves, and to engender prejudice and distrust instead of kindness and confidence towards them by the officers and citizens of the Confederate States.

"My fellow-citizens you have now an opportunity to express your views in an authoritative manner upon the policy which has been pursued by your officers in the present juncture of affairs, and upon questions affecting the harmony of the people, and upon the domestic institutions of the country. The people are here. Say whether you are arrayed in classes one against another—the full-blood against the white and mixed blood citizens; say whether you are faithful to the constitutions and laws of your country—whether you abide by all the rights they guarantee, particularly including that of slavery, and whether you have any wish or purpose to abolish or interfere with it in the Cherokee Nation.

"The position which I have assumed in regard to all the important questions which effect the Cherokee people has been too often proclaimed to be misunderstood, however much it may be misrepresented. The great object with me has been to have the Cherokee people harmonious and united in the full and free exercise and enjoyment of all their rights of person and property. Union is strength; dissension is weakness, misery, ruin. In time of peace, enjoy peace together; in time of war, if war must come, fight together. As brothers live, as brothers die. While ready and willing to defend our firesides from the robber and the murderer, let us not make war wantonly against the authority of the United or Confederate States but avoid conflict with either and remain strictly on our own soil. We have homes endeared to us by every consideration, laws adapted to our condition of our own choice, and rights and privileges of the highest character. Here they must be enjoyed or nowhere else. When your nationality ceases here, it will live nowhere else. When these homes are lost, you will find no others like them. Then, my countrymen, as you regard your own rights, as you regard the welfare of your posterity, be prudent how you act. The permanent disruption of the United States is now probable. The State on our border and the Indian nations about us have severed their connection from the United States and joined the Confederate States. Our general interests are inseparable from theirs, and it is not desirable that we should stand alone. The preservation of our rights and of our existence are above every other consideration. And, in view of all the circumstances of our situation, I do say to you frankly that, in my opinion, the time has now come when you should signify your consent for the authorities of the nation to adopt preliminary steps for an alliance with the Confederate States upon terms honorable and advantageous to the Cherokee Nation."\*

<sup>12</sup> Apparently, in his zeal to make a strong case against Ross, Commissioner Cooley, like General Pike, overlooked the fact that Confederate troops, under the command of Colonels James McQueen McIntosh and Douglas H. Cooper, had marched into the Cherokee Nation in pursuit of the refugee Creek followers of Opothleyahola, within ten weeks after the signing of the Confederate Cherokee treaty and nearly six months before the invasions of the Cherokee country by the Federal forces under Colonel Weer.

<sup>13</sup>General Pike's letter continued: "I did not ask him if he was authorized by the chief to say so, but I did ask him if he were sure that the appointment would gratify him, and being so assured I promised to urge the appointment. I did so more than once, but never received any

\*Op. Cit., pp. 673-5.



reply." A careful examination of the official correspondence of General Pike, from the beginning of May down to and after the time of his resignation (much of it directly with the Confederate secretary of war and with President Jefferson Davis and, therefore regardless of the usual military channels), does not mention the name of John Ross, much less urge his appointment as a brigadier general in the Confederate service, General Pike's personal statement to the contrary notwithstanding.

<sup>14</sup>That the attachment of Ross to the Confederate alliance was lightly regarded by Federal authorities, even before he had repudiated it, is evidenced by the following letter:

Headquarters Department of Kansas,  
Fort Leavenworth, July 21, 1862.

HON. E. M. STANTON,  
Secretary of War.

Sir:—I have the honor to transmit to you sundry papers relative to the intercourse and alliance of the Cherokee Indians with the so-called Confederate States; also copies of correspondence between these headquarters and Colonel Weer, commanding Indian Expedition, and letter of John Ross to Colonel Weer of July the 8th.

I am led to believe, from reliable information, that a large majority of the Cherokees are loyal, and that whenever Ross and the other leading men of the nation are satisfied that we are able to hold the country they will co-operate with us. They have evidently formed the alliance with the Southern Confederacy as a matter of necessity and self-preservation. They were cut off and could have no communication with our Government or its agents, yet they held out until October, hoping that they would get relief from our army. Since our forces have occupied their territory many who were in the rebel army have deserted in large numbers and desire to enter the Federal service. Among 300 who were mustered into the Second Indian Regiment a few days since about one-half were in Drew's regiment at the battle of Pea Ridge. They declare the killing of the white rebels by the Indians in that fight was determined upon before they went into the battle. How well they carried out their plan you have seen by the reports of that battle. The verbal reports from Ross, by Indian scouts whom I sent to communicate with him, are much more favorable than his letter to Colonel Weer. He is evidently very cautious in committing himself on paper until he is assured of our ability to hold that country. I am pleased to inform you that the Indian regiments mustered into the United States service have more than met my expectations as efficient soldiers.

I have given some responsible parties authority to open up a commerce with the loyal Indians, as they are in much need of a market for their stock and of various kinds of merchandise.

I have the honor to be, most respectfully, your obedient servant,  
JAS. G. BLUNT  
Brigadier General Commanding.\*

<sup>15</sup> When the Government peace commissioners met the delegates from the five civilized tribes in council at Fort Smith, Arkansas, in September, 1865, the latter were informed that by the terms of an act of Congress approved July 5, 1862, all the tribes which had entered into treaties of alliance with the Confederate States had thereby forfeited and lost all their rights to annuities and lands. It being apparent that that part of the Cherokee tribe which had adhered to the Union and had fought for it was to be punished with the part which had supported the alliance with the Confederate States to the end, H. D. Reese, one of the Cherokee delegates, filed the following protest:

\*Official Records of the Union and Confederate Armies, Series I, Vol. XIII, p. 486.

"The Cherokee delegation have already shown that they at this time are not authorized by their nation to make or sign a treaty, and we have also assured the honorable commissioners that whatever subjects are brought before us will be promptly reported to our national council and people. Our attention now is particularly drawn to that part of your 'talk' of Saturday, in which, in enumerating the various tribes who have made treaties with the so-called Confederate States, and who thereby have forfeited lands, annuities and protection, the Cherokees are included, and this according to a law of Congress of July 5, 1862. With all respect for the 'powers that be,' we earnestly plead 'not guilty;' that we are not, have not been, *bona fide* rebels; that if, through the dire necessities of the times, we were compelled to commit an overt act, in which our only object was to gain time and to save the lives of ourselves and families, the sin does not lie at our door. We do not believe that we will be condemned without a hearing. Our treaties, from that of Hopewell in 1785 to that of Washington in 1846, all guarantee to us protection in these words: 'The United States agree to protect the Cherokee nation from domestic strife and foreign enemies, and against intestine wars between the several tribes.'

"It is needless at this time to describe in detail our situation in the spring and summer of 1861. Suffice it to say that we were threatened with an invasion from Texas, received hostile communications from the authorities and citizens of our neighbor Arkansas. Treaties had already been formed with the tribes all around us. The military posts of Forts Smith, Gibson, Arbuckle and Washita were evacuated. They had already been abandoned previously and at the commencement of the rebellion there was no rallying point within reasonable distance at which 'loyalty to the Union' could find security. That solemn guarantee of protection stipulated in our treaties was to us a dead letter. There was not only danger but a strong probability of annihilation. Shall we be condemned if in this hour of darkness, gloom and intense anxiety, we should have adopted the only means that we could see to escape? The plan was proposed and agreed to that our tribe should seemingly acquiesce in the policy of the Confederate States—that we should make that treaty that lies on your table. But it was clearly, distinctly understood that as soon as safe opportunity offered, and we could act as free moral agents, act out our true sentiments and feelings, we would fly to our Father's house.

"If a lonely, unarmed traveler is beset on the highway by ruffians with daggers, he is willing to make any concessions, any promises—he is willing to sign any check on his banker for money, in order to escape. But, escaping to a place of safety, he has undoubtedly the right to repudiate all and every promise he may have made in the premises. We were that lone traveller. But, escaping to a place of safety, we at once in emphatic terms denied the binding force of that instrument by passing an act of repudiation, and also an act emancipating all slaves within our jurisdiction.

"We say that it was clearly and distinctly understood by us that as soon as the safe opportunity offered we would return to what we claimed to be our true allegiance, return to the waving of the stars and stripes.

"We made the attempt within three short months after making that treaty, at the battle of the Verdigris, in which six companies of Colonel Drew's regiment fought Colonel Cooper and drove him from the ground. The plan was not well concerted—we failed. We tried to find an opening at the battle of Pea Ridge—we failed. And not until June, 1862, when Colonel Weer came in force on the west side of Grand River, did we find the opportunity long desired and sought. Colonel Weer received us kindly. We organized two regiments immediately, of over twenty-two hundred men, and went into the service for three years or during the war. We have engaged the enemy wherever found. We have endured the toils, privations and hazards of the war, patiently, courageously; have at all times been obedient to orders, until regularly and honorably discharged the 31st of



May, 1865. We have participated in the battles of Spring River, Newtonia, Maysville, Cane Hill, Prairie Grove, Cabin Creek, twice, Fort Gibson, Honey Springs and Green Leaf. One-third of our men are dead. We do not bring up these things in the spirit of boasting, but to show that we are in earnest; that we considered that under the folds of the glorious flag of the Union was our home, and that we, as well as your people, would lay down our lives to defend it. In conclusion we refer you to the proclamation of Mr. Ross, dated 27th of May, 1861, defining our real position, to which course we held on up to the last moment.

"But if the fiat has gone forth; if this law of Congress of July, 1862, is like unto the laws of the Medes and Persians, it is useless for us at this hour to waste words. We thank you for your kind attention."\*

<sup>16</sup>The following letter is significant in this connection:

Executive Mansion,  
October 10, 1862.

MAJOR GENERAL CURTIS,  
Saint Louis, Mo.

I believe some Cherokee Indian regiments, with some white forces operating with them, now at or near Fort Scott, are within your department and under your command. John Ross, Principal Chief of the Cherokees, is now here in exile, and he wishes to know, and so do I, whether the force above mentioned could not occupy the Cherokee country consistently with the public service.

Please consider and answer.

A. LINCOLN.†

<sup>17</sup>To have failed to inform the government of threats or pressure brought to bear upon him by Confederate authorities constituted the acme of culpability on the part of John Ross in the opinion of Commissioner Cooley. Just how easy or difficult it would have been for John Ross to communicate with the Federal authorities in the summer of 1861 may be surmised from the following letter to Commissioner Cooley's predecessor by one of the best posted white men who ever lived in the Cherokee Nation:

Lawrence, Kansas, October 31, 1861.

SIR: I have taken all the pains I could to find a messenger on whom I could rely to go to the Cherokee nation. But the intervening country, comprising the neutral ground and the Neosho valley, has been so infested with banditti that intercourse with the Indian Territory proper has been practically cut off. Two or three times I had hopes of succeeding in getting a messenger who would go through, and I wrote to Mr. Ross three separate times, under somewhat varying circumstances, embodying your message each time. The first I sent to an Indian who was going down south, but I afterwards learned that he did not go on account of the dangers he would have to encounter. To two others I offered twenty-five dollars if either of them would carry a message and bring me back an answer. About the first of this month I thought I had found a man who would certainly go through; he was in company with fifteen other Indians—Shawnees, Creeks, Kickapoos and Choctaws—who lived about Little River, near the Seminole country. They had come over four hundred miles to find out the truth about the war for the information of the full Indians of that region. At home they could hear nothing, but through the half-breeds, and on many of them they could not depend.

I had considerable conversation with this man in the course of several days his company stayed here. He said the full Indians among the Creeks, Cherokees and Seminoles were all faithful to the Union and were depending upon the President for protection. Many of the half-breeds, he said, had gone off from their allegiance to the government. Among the dis-

\*Annual Report of the Commissioner of Indian Affairs for 1865, pp. 522-3.

†Off. Records of the Union and Confed. Armies, Series I. Vol. XIII, pp. 723.



affected in the Creek Nation he named Chilly McIntosh, Lewis McIntosh, Unee McIntosh, and M. Kennard, the present principal chief and others, but Rolly McIntosh, formerly principal chief of the Creek Nation, and Ben Marshal, a prominent man among them, had not yet yielded to the secession pressure when they left home. Old O-poth-le-yo-ho-lo, also formerly principal chief of a large portion of the Creek nation, and who still exerts great influence among them, was thoroughly loyal to the United States government. The full Indians, he said, among the Creeks and Seminoles, as well as among the Cherokees, have all confidence in the friendship and patriotism of John Ross, and his loyalty to the government of the United States.

All this agreed so well with what I knew to be the general disposition of the parties that I at once accepted his statement as true. He said he was coming back in November as far as Humboldt. I offered him twenty-five dollars if he would deliver a letter to John Ross and bring me an answer, but he declined to undertake it. I suppose he was afraid of being intercepted with documents in his possession.

I was perfectly astounded at the announcement of the defection of John Ross and the Cherokees. I could not have given credit to it but for the apparent authentic statement that the government had certain information on the subject, and had acted on it in the confiscation of their annuities, and the fact also that the border was commanded by the rebels, who have cut off all intercourse with the loyal States, and have their army there ready to enforce compliance with any demand the southern emissaries might make.

I have no doubt the unfortunate affair was brought about under stress of threatened force, which the Cherokees were by no means able to resist. But greatly as this defection of our old friends is to be lamented, I feel assured that it was an unwilling surrender, and that it only needs a sufficient force to afford them protection to secure a speedy and cordial return to their former allegiance and an abjuration of whatever reluctant alliance they may, under duress, have formed with the rebel states.

In consideration of the unfavorable circumstances in which the Cherokees were placed, I have no doubt the President will be disposed, on their return, to treat them with a generous lenity and forbearance, which will bring about a restoration of that confidence and good understanding which have so long and so happily existed between them and the government and people of the United States.

I expect to have an opportunity to send down in a very short time by a thoroughly reliable man, who is well acquainted in the nation and in Arkansas. His plan is to go through Missouri and Arkansas if he can—the ways through the neutral land being infested with banditti, the comrades of those who plundered and burnt Humboldt. I had thought of sending a verbal message by him, representing the intentions and wishes of the government previous to their defection; and if, under the circumstances, you should think proper to say anything more, or anything different, I could do so.

If you can spare a moment amid your pressing calls to send me a line, it would be very gratifying. And should there be anything else I can do, it will give me great pleasure to attend to it.

Should the federal army be successful in clearing out the way into Arkansas, I should like to go to the Cherokee nation myself, and in that case I shall be happy to do anything you may desire among them as far as I am able.

Very respectfully, your obedient servant,

EVAN JONES,

Of the Baptist Mission, Cherokee Nation.

HON. WM. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.\*

\*Annual Report of the Commissioner of Indian Affairs for 1861, pp. 41-3.

<sup>18</sup>Commissioner Cooley's statements concerning the Cherokee factions and feuds, their origin and activities, etc., do not evince a very thorough knowledge of the facts involved in the history of the removal of the main body of the Cherokee tribe to the West. Accurate and unbiased accounts of this important period in the history of the Cherokee Nation are to be found in "The Cherokee Nation of Indians, a Narrative of their Official Relations with the Colonial and Federal Governments," by Charles C. Royce; Fifth Annual Report of the Bureau of American Ethnology, pp. 253-98; and in "Myths of the Cherokee," by James Mooney, Nineteenth Annual Report of the Bureau of American Ethnology, pp. 117-35. The two-volume work entitled "Removal of the Cherokee Indians from Georgia," by Governor Wilson Lumpkin, of Georgia, contains much valuable historical material but, unfortunately, is not entirely free from the prejudices incident to participation and personal interest in the affairs which it recounts.

<sup>19</sup>It will be noted that Commissioner Cooley reiterated his contention that Colonel Stand Watie's troops were not raised until after the treaty of alliance had been entered into, although General McCulloch's letter already quoted [page 222] written more than a month before the signing of the treaty, offers conclusive proof that Watie's battalion had already been in the service for some time previous. Albert Pike, writing from Fort Smith, on May 29, 1861, to Robert Toombs, Confederate secretary of War, concerning his projected visit to the Cherokee country, mentions the fact that, even at that time—more than four months before the treaty was negotiated between the Confederate States and the Cherokee Nation—troops were being raised among the Cherokee people for the Confederate service. The letter to Secretary Toombs was in part as follows:

"I leave this morning for Tahlequah, the seat of government of the Cherokee Nation, and Park Hill, the residence of Governor Ross, the principal chief. Since 1835 there have always been two parties in the Cherokee Nation, bitterly hostile to each other. The treaty of that year was made by unauthorized persons, against the will of a large majority of the nation and against that of the chief, Mr. Ross. Several years ago, Ridge, Boudinot and others, principal men of the treaty party, were killed, with, it was alleged, the sanction of Mr. Ross, and the feud is today as bitter as it was twenty years ago. The full-blooded Indians are mostly adherents of Ross, and many of them—1,000 to 1,500 it is alleged—are on the side of the North, I think that number is exaggerated. The half-breeds or white Indians (as they call themselves) are to a man with us. It has all along been supposed, or at least suspected, that Mr. Ross would side with the North. His declarations are in favor of neutrality. But I am inclined to believe that he is acting upon the policy (surely a wise one) of not permitting his people to commit themselves until he has formal guarantees from an authorized agent of the Confederate States. These I shall give him if he will accept them. General McCulloch will be with me, and I strongly hope that we shall satisfy him, and effect a formal and firm treaty. If so, we shall have nearly the whole nation with us, and those who are not will be unimportant. If he refuses he will learn that his country will be occupied; and I shall then negotiate with the leaders of the half-breeds who are now raising troops, and who will meet me at the Creek Agency on Friday of next week. Several of those living near here I have already seen."\*

<sup>20</sup>The allusion to "the great council fire kindled at Tahlequah eighteen years ago," doubtless referred to the great inter-tribal peace council, in which twenty-three tribes were represented, which was held at that place in the month of June, 1843.

\*Official Records of the Union and Confederate Armies, Series IV, Vol. I, pp. 430-1.



<sup>21</sup>Opothleyohola received Assistant Principal Chief Vann cordially but refused to discuss the issues involved in the tribal alliances with the Confederate States, merely saying that he had made up his mind to adhere to the Union and that no argument could cause him to recede from the determination already made in that regard.

<sup>22</sup>This secret organization among the full-blood Cherokees which was known to be in existence several years before the outbreak of the Civil War was the Kitoowha (Night-hawk) Society, which is still maintained among their descendants. Its existence and activities were viewed with considerable apprehension, not only among the mixed-blood Cherokees but also across the border in the neighboring state of Arkansas.

<sup>23</sup>A copy of the treaty between the Confederate States and the Cherokee Nation may be found in the Official Records of the Union and Confederate armies, Series IV, Vol. I, pp. 669-87.

<sup>24</sup>In a letter addressed to Capt. Thomas Moonlight, assistant adjutant general of the Department of Kansas, Col. William Weer, commanding the Indian Expedition, wrote from LeRoy, Kansas, under date of June 13, 1862, in part as follows:

"I have just received the written examination of some Cherokees brought in as prisoners by the Osages. They prove to be our own messengers, bringing us word from below. They have a secret society of Union Indians called Ke-too-wah. One Salmon is at its head. It numbers 2,000 warriors. Salmon sends me word to notify him confidentially of my approach and begs that we will not abandon them. The messenger represents a sad state of oppression of Union men, and that we will be hailed as deliverers from a state of most tedious tyranny. He thinks Colonel Doubleday's routing of Stand Watie will cause renewed violence against the Union men. John Ross is undoubtedly with us, and will come out openly when we reach there."\*

The following letter also serves to throw some light upon the sentiments prevailing among many, if not most of the Cherokee people at that time:

Headquarters, Department of Kansas,  
In the Field, Fort Scott, August 13, 1862.

His Excellency ABRAHAM LINCOLN:

The bearer of this, John Ross, Chief of the Cherokee Nation, at my suggestion is about to visit Washington, for the purpose of consulting with you relative to the condition of his people and their attitude toward the Federal Government.

About the 10th of July I forwarded to the Secretary of War documents, including correspondence between Mr. Ross and the agents of Confederate Government; also proceedings of the Cherokee Council and treaties of alliance with the rebel States. These papers were accompanied by a letter expressing my opinion in regard to feeling among the Cherokees toward our Government. Further correspondence and intercourse with them has confirmed the opinion then expressed. I have no doubt as to the loyalty of the Ross family and three-fourths of the Cherokee people. Until recently they have been unable to hold any communication with our Government, while they were constantly pressed by the agents of the Confederate States with false representations and every influence brought to bear to seduce them from their allegiance to our Government; yet they rejected the propositions of the rebel Government until October, 1861, hoping that our forces might arrive in their country and insure their protec-

\*Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 430-1.



tion. This hope failing them, they were compelled to the policy they adopted as a matter of necessity and self-preservation.

Chief Ross will confer with you freely upon all the details affecting the relations of his people with our Government.

I commend him to you as a man of candor and frankness, upon whose representations you may rely.

Hoping that his interview with you may result in advancing the mutual interest of the Government and the Cherokee Nation, I have the honor to be, your most obedient servant,

JAS. G. BLUNT,  
Brigadier General Commanding.\*

<sup>25</sup>It is worthy of note that, while giving full credence to every statement made by General Albert Pike concerning the alleged disloyalty of John Ross, Commissioner Cooley passes over and ignores General Pike's statement that Opothleyahola, the Creek chief was not "loyal," for despite this assertion of General Pike's, the Commissioner refers to Opothleyahola as "that true patriot."

<sup>26</sup>Professedly, Hercules Martin's version of the speech made by Chief Ross to the soldiers of Colonel Drew's Cherokee regiment was written the next day after the speech was delivered, which would have been December 20, 1861. The truth of this claim and, therefore, the authenticity of this version of the address by Ross, is seriously impaired by the reference to "the late Colonel McIntosh, C. S. A.," in the text thereof. The fact that Colonel James McQueen McIntosh, to whom reference was thus made, was not killed until ten weeks after Ross is alleged to have made this speech, not only refutes the possibility of such words having been uttered by Ross but also bears evidence of the fact that Martin's version of the address in question must have been written weeks afterward, and, indeed, for that matter, possibly several months or years subsequently, instead of on the following day as claimed. Colonel McIntosh was killed in action at the battle of Pea Ridge, March 7, 1862, and it is scarcely probable that John Ross would have referred to him in such an address in the preceding December as "the late Colonel McIntosh, C. S. A." This rather remarkable "slip" on the part of Interpreter Martin tends to cloud all claims as to the authenticity of his version of the address. The fact that it was thought necessary to bolster and support it by the attest of W. L. G. Miller, possibly added several years later, does not tend to lessen the effect of this anachronism or to efface the suspicion that this version may have been formulated much later than was claimed, even though the latter was a reputable and truthful man.

<sup>27</sup>Mr. Mackey evidently did not take the pains to refresh his memory by consulting documentary material before writing his letter to Commissioner Cooley. The correspondence concerning the alleged scalping of wounded prisoners at the battle of Pea Ridge was between Generals Samuel S. Curtis, of the Federal army, and Earl Van Dorn, of the Confederate Army. Copies of this correspondence may be found on pages 194-5, Official Records of the Union and Confederate Armies, Series 1, Volume VIII.

<sup>28</sup>Since the Commissioner thought it not worth while to reproduce Mr. Mackey's letter, with its definite statements concerning the offer of a safe-conduct to Washington and return, the "disdained alliance" and "the monstrous barbarities," etc., it may be well to quote the correspondence between Colonel Weer and Chief Ross. The letters are as follows:

\*Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 565-6.

Headquarters Indian Expedition,  
Camp on Wolf Creek, July 7, 1862.

His Excellency JOHN ROSS,  
Chief of the Cherokee People,

SIR: The bearer of this communication is an accredited agent of the United States Government, and as such bears to you this official note.

I am here with an armed force of regularly enlisted soldiers, instructed and prepared to enforce the observance of treaty obligations by the Cherokee people. It is unnecessary for me to recapitulate the violations of them, as it is notorious that a portion of the Cherokees have been seduced by designing men into a state of hostility to the Government whose administration has been so parental as to well deserve the name of "Great Father."

I am here to injure no one who is disposed to do what treaties made by his nation bind him to do, but am here to protect all faithful members of the tribe.

I desire an official interview with yourself, as the Executive of the Cherokee people. The object will be, on my part, to endeavor to effect a restoration of good feeling and the observance of law and order in this beautiful country, now threatened with the horrors of civil war.

I desire to ascertain from you officially if some plan satisfactory to all parties cannot be adopted by which the unfaithful portion of the Cherokees may be induced to place themselves, their families and property under the protection of my forces.

Individual outrages may have been committed by persons in my command without authority, I would desire to arrange a plan by which compensation may be made.

I accordingly request this interview between us at my camp, promising you a safe return to your home.

I am respectfully, your obedient servant,

WM. WEER,

Colonel Commanding. \*

EXECUTIVE DEPARTMENT.

Park Hill, Cherokee Nation, July 8, 1862.

Col. WILLIAM WEER,  
United States Army, Commanding,

COLONEL: Your communication of yesterday, dated from Headquarters Indian Expedition, Camp on Wolf Creek, under flag of truce, per Dr. Gillpatrick, has been duly received, and in reply I have to state that a treaty of alliance, under the sanction and authority of the whole Cherokee people, was entered into on the 7th day of October, 1861, between the Confederate States and the Cherokee Nation, and published before the world, and you cannot but be too well informed on the subject to make it necessary for me to recapitulate the reasons and circumstances under which it was done. Thus the destiny of this people became identified with that of the Southern Confederacy.

There is no nation of Indians, I venture to say, that has ever been more scrupulous in the faithful observance of their treaty obligations than the Cherokees. Allow me further to appeal to my long public and private life to sustain the assertion that my policy has ever been to preserve peace and good feeling among my people and the observance of law and order. That the horrors of civil war with which this beautiful country is threatened are greatly to be deprecated, and I trust that it may be averted by the observance of the strict principles of civilized and honorable warfare by the army now invading our country under your command.

\*Op. Cit., p. 464.

I cannot, under the existing circumstances, entertain the proposition for an official interview between us at your camp. I have therefore respectfully to decline to comply with your request.

I have the honor to be, colonel, your obedient servant,

JOHN ROSS,

Principal Chief Cherokee Nation. \*

<sup>28</sup>Jonas March Tebbetts (or Tibbets, as the name was often spelled) was a native of New Hampshire, who settled at Fayetteville, Arkansas, at an early day. He was a lawyer by profession and figured in the settlement of the affairs of the real estate bank at Fayetteville. He was a strong Union man and left Arkansas during the War. He subsequently made his home at Pittsburgh, Penna., where he died at an advanced age, about the year 1911. As a resident of Fayetteville, he was an old neighbor of Col. E. C. Boudinot.

<sup>29</sup>Charles B. Johnson was a native of Connecticut, who settled at Fort Smith, Arkansas, in the early 'forties. He engaged in the mercantile and commission business there until 1861, when he entered the Confederate Army. He died at Fort Smith about five years after the close of the War.

---

\*Official Records of the Union and Confederate Armies, Series I, Vol. XIII, p. 486.



MEETING OF THE BOARD OF DIRECTORS  
of the  
OKLAHOMA HISTORICAL SOCIETY  
May 7, 1924.

---

The Board of Directors of the Oklahoma Historical Society met pursuant to call at two o'clock p. m., Wednesday, May 7, 1924, in regular quarterly session with the following members present: Mr. Jasper Sipes, President; Judge Thos. H. Doyle, Mr. C. F. Colcord, Hon. D. W. Peery, Hon. A. N. Leecraft, Judge Baxter Taylor, Mr. C. J. Phillips, Mr. Grant Foreman, Prof. C. W. Turner, Dr. J. S. Buchanan, Mrs. Jessie R. Moore, Mrs. Blanche F. Lucas, Mrs. J. R. Frazier, Mrs. W. A. Roblin, Mr. Louis LeFlore, Mrs. John R. Williams, Mrs. Frank Korn, Col. R. A. Sneed and the Secretary.

The minutes of the last meeting were read and approved.

The President then rendered a verbal report, concluding with the following committee announcements:

Additional members of the Executive Committee, Mrs. Frank Korn and Louis LeFlore.

Publication Committee, Paul Nesbitt, Mrs. A. Emma Estill, and Grant Foreman.

Library and Museum Committee, Mrs. J. R. Frazier, Mrs. Frank Korn and A. N. Leecraft.

Program Committee, Thos. H. Doyle, Dr. J. S. Buchanan, and Grant Foreman.

Membership Committee, Mrs. John R. Williams, Judge Baxter Taylor and Mrs. Jessie R. Moore.

Committee on raising funds to mark historical spots in Oklahoma, Grant Foreman, Mrs. Frank Korn, Mrs. Blanche F. Lucas, Col. R. A. Sneed, D. W. Peery and Louis LeFlore.

Building Committee, Mr. J. W. Kayser, Judge R. L. Williams, Major Victor M. Locke, Jr., Col. Charles F. Barrett, Mrs. Eugene B. Lawson, Mrs. Czarina Conlan, Dr. Winnie Sanger, Mrs. W. A. Robin, Judge Thos. H. Doyle, Mr. Charles Colcord and Mrs. C. J. Phillips.

Mrs. Jessie R. Moore then rendered a quarterly report as treasurer of the Society and it was ordered filed.

The Secretary's report was then read and ordered filed.

On motion it was ordered that a committee on drafting resolutions expressive of the Society's loss in the death of Mr. W. P. Campbell, Custodian, be appointed. Motion was seconded and carried. The President then appointed the following persons as members of the committee: Mrs. Jessie R. Moore, Judge Thos. H. Doyle and the Secretary.

Mrs. Korn moved that a Campbell Memorial Alcove in the Library be founded and that all members be asked to contribute to the same. Motion carried.

Col. Sneed moved that Two Hundred Dollars (\$200.00) be appropriated out of the Secretary's Treasury to aid in defraying the funeral expenses of Mr. Campbell. Motion was seconded and carried.

Mrs. John R. Williams rendered a report of the Committee on Membership which was received and ordered to be filed.

On motion the following persons were elected as life members: R. W. Bell, Duncan; Mrs. George C. Conger, Oklahoma City; Prof L. Howell Lewis, Oklahoma City; S. E. Wallen, Muskogee, and Mrs. Pearl M. Searcy, Wagoner.

Annual members: Mrs. Irene C. Beaulieu, Pawhuska; H. G. Bennett, Durant; Mrs. J. M. Bohart and Mrs. B. D. Brown, Apache; Mrs. Rachel Bryan, Claremore; Miss Lucy Clark, Chelsea; Prof. J. Frank Dobie, Stillwater; J. W. Drake, Tecumseh; Mrs. E. L. Evins, Wilburton; Mrs. Helen S. Francis, Oklahoma City; Tom R. Hadley, Oklahoma City; Harvey C. Hansen, Marble City; Jewel Hicks, Durant; Ruben Hogan, Stigler; W. T. Huff, Muskogee; Mrs. M. R. Hurst, Hugo; Mrs. J. W. Huskins, Wilburton; G. L. King, Verdigris; Mrs. Ellen C. Labadie, Pawhuska; Mrs. L. T. Lancaster, Cherokee; Mrs. Sam Massingale, Cordell; W. J. Pettee, Oklahoma City; Mrs. R. L. Phillips, Pauls Valley; Dr. Benjamin I. Townsend, Hennessey; Walter J. Turnbull, Durant; S. E. Wallen, Muskogee; M. L. Wardell, Tulsa; Webster Wilder, Cherokee; Henry Stanley Wice, Muskogee; and Miss Floy S. Dawson, Oklahoma City.

The following persons were nominated for honorary membership in the Society: J. F. Weaver, Fort Smith, Ark; Miss Alice M. Robertson, Muskogee.

Mrs. Moore then moved to amend the motion to include all surviving elected principal chiefs of the five civilized tribes. The amended motion being accepted, the original motion thus amended was put to a vote and carried.

The following persons were nominated and elected to corresponding membership in the society: E. D. Smith, Meade, Kans.; Warren K. Moorehead, Andover, Mass.; and Mrs. Olive K. Dixon, Miami, Texas.

Report of the Committee on Marking Historical Sites was rendered verbally by Mr. Foreman.

Report on the Committee on Library and Museum was rendered verbally by Mrs. J. R. Frazier.

Report of the committee on publications was rendered by Mr. Nesbitt.

On motion the committee on publications was instructed to authorize a contract for printing the quarterly magazine for next fiscal year.

On motion of Judge Doyle the secretary was instructed to address a letter to the attorney general calling his attention to the rejection of claims for traveling expenses of members of the board of directors by the auditor and ask for an opinion in regard to the matter. Motion was carried.

On motion of Mr. Peery, the secretary was instructed to ascertain if it would be possible to induce the Kansas Historical Society to sell certain Oklahoma newspaper files dating back of the time of the organization of the Oklahoma Historical Society and that the secretary be further directed to ascertain the probable cost of buying certain other newspaper files which are still in the possession of Oklahoma publishers, also published prior to the organization of the Oklahoma Historical Society.

On motion it was voted that the committee on library and museum be authorized to purchase such additional cases or other library and museum equipment as may be needed.

On motion of Mrs. Frazier, Col. Sneed and Dr. J. S. Buchanan were added to the committee on library and museum.

A communication from Prof. L. Howell Lewis was then read and on motion accepted.

It was moved that the secretary send a letter of greetings to the Fort Towson Centennial Celebration at Durant. Motion prevailed.

On motion of Judge Doyle the board then adjourned out of respect to the memory of Mr. Campbell.

---

## CONTRIBUTORS

Grant Foreman was born at Detroit, Illinois, June 3, 1869, the son of Dr. Abner W. and Elizabeth Hayden Foreman. He was educated in the high school at White Hall, Illinois and in the law school of the University of Michigan, whence he graduated in



1891. He began the practice of his profession in Illinois. In 1899 he came to Muskogee, Oklahoma in the service of the Dawes Commission, with which he continued until 1903, when he resigned to enter private practice. In 1905 he was married to Miss M. Carolyn Thomas, daughter of the late Jndge John R. Thomas of Muskogee. While actively engaged in the practice of his profession, Mr. Foreman has long been interested in historical research and is recognized as a contributor of numerous magazine articles relating to Indians and the Indian problem. He is a life member and a director of the Oklahoma Historical Society, in the work of which he is greatly interested.

Alfred Alexander Taylor was born at Happy Valley, Tennessee, August 6, 1848. He is the son of Rev. Nathaniel G. and Mrs. Emma Haynes Taylor. He was educated at Edge Hill School (Princeton, New Jersey) Pennington Seminary and Kelsey's School (Clinton, New York). His father was a member of Congress from Tennessee and he saw much of public life at Washington and elsewhere during his youth. He was admitted to the Tennessee bar in 1870 and served as a member of the Tennessee house of representatives 1875-6. In 1881 he was married to Miss Jennie Anderson of Buffalo Valley, Tennessee. In 1886 he made the race for governor of Tennessee as the republican nominee, his opponent being his own brother, Robert Love Taylor. The two brothers campaigned together, spoke from the same rostrum and played their fiddles to the delight of enthusiastic audiences but the democratic brother received the largest vote and was elected governor of the state, subsequently serving in the United States Senate. Alfred A. Taylor was elected to Congress in 1888 and was twice re-elected. In 1920 he was nominated and elected as governor of the state of Tennessee, receiving a plurality of over forty thousand votes. In 1922 he was renominated but was defeated in the election. He has long been known as one of the most effective and eloquent lecturers on the American lyceum and Chautauqua platforms. His home is at Milligan College, Johnson City, Tennessee. When a youth of barely nineteen it was his fortune to witness and participate in a most interesting event in the history of Oklahoma and the other southern plains states, namely, the Medicine Lodge peace council, the story of which he has so charmingly told in this issue of the *Chronicles of Oklahoma*.

William H. Clift was born in Grayson County, Texas, February 27, 1871. His grandparents were pioneers in the Red River country, settling near the present site of Texarkana as early as 1840. Reared among rustic pioneers where tales of border warfare and hardship were often recounted, his interest in the history of the southwest dates from the years of his early childhood. Never forgetting these stories, many of which were told by some of the original actors, he has often taken time, through the years of busy life to go out of his way to run down or locate some point of historical interest. Inheriting the thrift and ardor of his Celtic

ancestors, he fitted himself in country schools to secure a teacher's certificate and began teaching school at the age of seventeen. Later, in college and university he did double work, and engaged in business for himself at the age of twenty-six. He settled in Oklahoma after the opening of the Kiowa-Comanche country and engaged in the cotton business. He is reputed to own more cotton gins as an individual than any other person in the south. He is also the owner of a number of a great deal of farm land in Oklahoma and Texas. Like other men of personality and attainments, he has a hobby, or side-line, to which he turns for recreation and pastime. His hobby is that of searching out and locating and recording everything of local historical interest which might otherwise be lost to knowledge. Living as he has for many years among the Indians of the Comanche, Kiowa, Apache and Wichita tribes, he has made numerous field trips at his own expense, often accompanied by a hired interpreter or guide. He has visited and inspected old Indian field sites, battle fields and other places of historic interest in the Red River country in Oklahoma and Texas. He believes that the stories of this region should be gathered and recorded while it is yet possible to get them and thinks they will become more interesting as the years increase. He is a life member of the Oklahoma Historical Society and is accounted one of its most active contributing workers.













<http://stores.ebay.com/Ancestry-Found>



UNIVERSITY OF FLORIDA



3 1262 07696 484 9

<http://stores.ebay.com/Ancestry-Found>

LAD



<http://stores.ebay.com/Ancestry-Found>



Thank you for your order !

This media compilation, our respective advertisements and marketing materials are protected under U.S. Copyright law. The Federal Digital Millennium Copyright Act and various International Copyright laws prohibit the unauthorized duplication and reselling of this media. Infringement of any of these written or electronic intellectual property rights can result in legal action in a U.S. court.

If you believe your disc is an unauthorized copy and not sold to you by **Rockyiguana** or **Ancestry Found** please let us know by emailing at

<mailto:dclark4811@gmail.com>

It takes everyone's help to make the market a fair and safe place to buy and sell.